

Teacher codes: learning from experience

Teacher codes

Learning from experience

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Executive summary

The collective conscience of a profession is often responsible for regulating the behaviours of its members and, when codified, can be found in a *code of conduct* or a *code of ethics*, terms that have significant differences. A *code of conduct* sets out principles of action, standards of behaviour, or how the members of the group will work, while a *code of ethics* may be ‘aspirational’ in tone stating the ideals of the profession and emphasizing the values that guide. Most jurisdictions governing teacher conduct develop a code of conduct or code of ethics.

Existing codes address the relationship of teachers with various stakeholders, individuals, or agencies having inherent interests in teachers; these include pupils, parents, education authorities, colleagues, accreditation bodies, the state, and the community at large. The successful development of codes requires that developers understand culture, know and comprehend local circumstances, situations, and stakeholders including political ideologies of the constituent groups, and have a common understanding of education. Involving minority and non-power groups in a code’s development ensures these groups’ contributions. Applying a ‘bottom-up process’ versus a ‘top-down process’ approach enhances a greater acceptance by those to whom the code applies.

Organizations have used school-based forums, focus groups, consultation with organizational stakeholders, working committees, case studies, support of an ethicist, questionnaires, written briefs, and validation activities to develop codes. Successful implementation activities include workshops on ethics and rights of educators, a collectively developed, detailed handbook about the code, copies provided for all teachers, part of broader discussions versus isolated discussion of the code, government statement to support the code, and collaboration with national, institutional, local and individual stakeholders (for instance teacher education institutions, teacher unions,

schools, and administration). But there are challenges to implementing a code: external factors (for instance societal issues and school community/school culture issues), internal factors (for instance one's beliefs), lack of understanding of jurisdictional context, resources (for instance time, discussion opportunities, learning materials), and internal and external controls.

Application and enforcement of codes are more likely to occur when responsibility for the code and disciplinary action is determined and where professional development is provided. Conflicts arise when the employer deals with both the management of teachers and the application/enforcement of the code. Investigation of complaints is time-consuming and resource dependent. Where clear enforcement mechanisms or directions are provided, fair application of the code should occur.

Stakeholder response to existing codes is mixed. Teachers are concerned about control over personal lives, or the violation of basic human rights. Some believe that a code does not ensure ethical behavior. Knowledge of the code ranges from a low degree of familiarity to a high degree of scepticism, with stakeholders response ranging from generally supportive to highly critical. Jurisdictions with codes promote it with well-designed communication plans utilizing newsletters, development of resource materials, up-to-date public website, teachers hotline, public presentations, and on-going seminars and presentations for teachers.

Introduction

The policy document, *Education for All by 2015*, is the result of governments, policymakers, and educators coming together in Dakar in 2000 to discuss universal primary education. One identified goal is the achievement of universal primary education “ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete, free and compulsory primary education of good quality” (UNESCO, 2008: 56). The success of this goal depends on the provision of resources, gender equity, access, schools, curriculum, teacher education, and teacher quality. Teacher quality is demonstrated by the convergence of curricular knowledge, sensitivity to student needs, thorough preparation, ethical behaviour and administrative organization. A quality teacher demonstrates these competencies. However, this ideal does not always occur.

The need for “improved governance in teacher management” (UNESCO, 2008: 171) is specifically cited in the 2009 monitoring report, *Overcoming Inequality: Why Governance Matters*. Governance, in this context, includes “salaries and living standards, recruitment and contract teachers, deployment patterns, motivation and performance-related pay” (UNESCO, 2008: 171). These elements are directly linked to teacher conduct. By way of example, poorly paid teachers supplement their income by working at a second job as many do not receive an adequate basic salary and are at times absent from their teaching duties (Vadher, 2005). Curricular changes and strategies emphasizing student-centred learning require more preparation and marking time for which teachers are not compensated. In addition, since teachers in many countries are tenured civil servants (and thus have greater immunity from dismissal), discharging a teacher from a teaching position is extremely difficult (UNESCO, 2008: 172).

Teacher management greatly affects teacher quality: "... the importance of teachers' work and their competence in performing it are crucially influenced by the quality of internal and external supervision" (Bennell and Akyeampong, 2007: 43). They further identify two key factors that have 'far-reaching adverse impacts on the behaviour and overall performance of primary school teachers and thus learning outcomes': "... (a) the impact of the equitable and efficient deployment of teachers across the country, and (b) the professional behaviour of teacher[s] inside and outside the classroom". The specific issues they identify regarding teacher (mis)behaviour are absenteeism, misconduct, industrial action, and secondary employment.

Supporting Bennell and Akyeampong's conclusions is the work of Castro *et al.* (2007) who indentify teacher absenteeism (often without 'a clear cause'), lack of teacher personal discipline, and classroom management as issues that have a severe impact on lack of learning. Students are often frustrated by other learners disrupting the teaching process; students in classes where teachers are absent do not receive appropriate instruction or are supervised by teachers not prepared for these classes. Several studies¹ cited by Castro, Duthillel and Caillods outline the influence of teacher absenteeism on students: student tardiness, student absenteeism, and a decline in student performance. While some absenteeism is attributed to teacher illness, other factors such as lack of teachers, inability of teachers to manage large classes or combined classes (Castro *et al.*, 2007: 35), and classes left unattended even with teachers present in the school (Castro *et al.*, 2007: 40/41) ensure adverse learning conditions for students. Other studies (e.g. Vadher, 2005; Shrestha, 2005; and Fry, 2002) cite teacher motivation as contributing to teacher (mis)behaviour.

1. Studies include Liman and Shikongo, 2006; Uribe, Murnane, Willet and Somers, 2006; ActionAid, 2005.

In *Corrupt schools, corrupt universities: What can be done?*,² Hallak and Poisson (2007) discuss corruption at various levels of education and identify teacher management and misbehaviour as components. Fredriksson (2004) concurs with Hallak and Poisson concerning teacher conduct: “teachers have to reflect on what could be regarded as corrupt behaviour and see that such behaviours are abandoned in the teaching profession” since these behaviours have an impact on student learning.

While not defined as corruption, but nevertheless damaging behaviour, violence at school toward male and female students negatively affects student learning. The 2008 report, *Are Schools Safe Havens for Children? Examining School-related Gender-based Violence*, details school violence committed by students and teachers directed at other students resulting in physical, sexual and psychological abuse.

While teacher management, teacher misbehaviour, teacher misconduct, abuse of students by teachers, or lack of governance do not solely impede universal primary education, they are strong contributing factors. Recommendations found in the above-cited studies state that for successful universal primary education to exist, changes in teacher in-and-out-of-school behaviours are required. These studies further identify that institution stakeholders, Ministries of Education, teacher education institutes, teachers’ unions, and schools have a responsibility to assist teachers who demonstrate unacceptable behaviours.

Nations striving for universal primary education have moved to reduce the inequalities in primary education with the result that more primary-age children are now in school (Bennell and Akyeampong, 2007). Many countries have developed or are developing strategic plans that focus on the improvement of basic education. To ensure effective teacher management, the Government of Lesotho (as one country’s example response) in its *Education Sector Strategic Plan 2005/2015* has determined that the following will occur:

2. *Chapter 5* provides a succinct overview of the corrupt activities and the lack of ethical conduct in elementary and secondary school systems and suggests practices to be instituted to deal with these problems.

- (i) Improve efficiency in teacher development and management.
- (ii) Put in place an efficient and effective system of administration and financing of teacher education through, *inter alia*, the introduction of e-governance.
- (iii) Put performance management system for teachers in place.
- (iv) Improve professional quality and effectiveness of both pre-service and in-service teacher education.
- (v) Improve school management.
- (vi) Improve career structure for teachers in the different sub-sectors of teaching/training.
- (vii) Improve efficiency in the processing of teachers' emoluments and benefits.

These activities when effectively enacted should improve governance of education and teacher quality. Other jurisdictions have followed Lesotho's example. But to meet the goal of universal primary education more schools are needed, staffed by qualified, successful, competent, and ethical teachers teaching quality programs. Teachers are critical to the achievement of the goal stipulated in EFA. However, not all teachers exemplify the above-stated characteristics.

Some teacher organizations such as the Botswana Federation of Secondary School Teachers (BOFESETE) (2003) discuss and promote positive teacher behaviours directly and outline unacceptable conduct: "The organisation therefore expects its membership and other teachers to conduct themselves in a way that will bring praise, trust, respect and pride to the profession".

There have been reports of teachers accused of unprofessional behaviour like failing to report for duty with no reason, reporting on duty drunk, having sexual relationships with their clients and many other vices. BOFESETE strongly discourages teachers from such habits and will not support them in any way.

BOFESETE does not, in their website, indicate how it “will not support them in any way” or what actions will occur against the teacher if those behaviours reside with a teacher. Other jurisdictions (for instance the Bahamas, Fiji, Hong Kong, and Nigeria) recognize that teacher behaviours require formalized statements that describe appropriate teacher conduct.

As part of the process to institute *Education for All*, UNESCO’s International Institute for Educational Planning commissioned a review of existing literature on ‘teacher codes of conduct’ and to consider:

- the code and its purpose;
- development of the code including rationale of structure, choice of content, and individuals and activities in development;
- implementation stages;
- application and enforcement of the code including intended application, use of the code specifically with teachers, and authority to use the code;
- stakeholder response;
- impact of the code of conduct;
- review of the code; and
- knowledge, understanding, and support of the code.

The researcher was asked to canvas international literature on teacher codes of conduct with a focus on low-income countries and countries in the developing world, and to consider the issues in the context of teaching basic education.

Chapter 1

Role of the teacher

An oft-quoted expression defines a “teacher as a teacher 24/7”, that is, a teacher is always a teacher and may be held accountable for in- and out-of-school behaviours that have an impact on student learning or the teacher’s “employment role” (Stewart, 2006: 353). But with whom does a teacher interact? Each teacher is in a relationship with various stakeholders, those individuals or agencies that have an inherent interest in the teacher. Manley-Casimir and Piddocke (1991) have identified eleven relationships that exist with the teacher and:

- the pupils: this is the primary relational role of the teacher;
- the parents or guardians of the pupil;
- the teaching colleagues in the school;
- the school support staff who may include administrative staff, custodial staff, and other non-teaching individuals with whom the teacher has regular contact;
- the school administrators including principals, vice-principals, heads of school departments, and those who exercise authority over the teacher;
- the school board or school authority who determine policy for schools and have a responsibility for the effectiveness of the school system;
- the community in which the school is located;
- “the constituency, as it were, whence the pupils come. In the public school, this overlaps within the community... There may be groups with the community who do not, and would not, send their children to the school”;
- the state which sets curricula and policy, and provides funding through the department which has responsibility;
- the teaching profession as a whole; and,

- “the teacher’s own teachers, especially those in a normal school or faculty of education who prepared the teacher for his or her work, and to whom the teacher may have recourse for advice”.

Add to this, the teachers’ union whose role as a labour union or association is to advocate, in a pro-active way, for the rights of the teacher. A teacher’s regulatory body or registration agency, if available, is considered to have a vested interest in the teacher.

Thus, a teacher interacts with and reacts to stakeholders in their various roles. Any serious imbalance with these relationships may be construed as ‘misconduct’. One imbalance in one relationship may result in discrepancies with subsequent relationships. It is with and in these relationships that teachers work and strive to be good teachers.

Chapter 2

Description of the good teacher

In its 1994 report, *Quality in Teaching*, the Organisation for Economic Co-operation and Development (OECD) defined teacher quality as:

- knowledge of substantive areas and content;
- pedagogic skill: this includes acquiring and using a range of teaching strategies;
- reflection: the ability to be self-critical, the hallmark of teacher professionalism;
- empathy and commitment to the acknowledgement of the dignity of the other; and,
- managerial competence, as teachers assume a range of managerial responsibilities within and outside the classroom (Fredriksson, 2004: 7).

The report continues:

These dimensions of teacher quality should not be seen in terms of narrow behavioural competencies, but more in terms of dispositions. Teacher quality should be regarded as a holistic concept, i.e. as a gestalt of qualities rather than a discrete set of measurable behaviours, to be developed independently from each other. The integration of competencies across these dimensions of teacher quality is thought to mark the outstanding teacher (Fredriksson, 2004, p. 7).

Whether one subscribes to the OECD description of a good teacher or to Perrenoud (1999) as cited in Fredriksson (2004), or to Shulman (1987), or Palmer (2003), teachers need specific qualities and skills to be successful in assisting their students with their learning.

Students require ‘good teachers’, teachers who are ‘good’ because of their education, training and experience. Fredriksson (2004) cites three ways in which teachers can improve their quality, how they can become ‘good’: through quality awareness, through professional ethics, and through professional freedom. Professional ethics, at times referred to as ‘professional conduct’ or ‘professional behaviour’ are often codified in a code of ethics or conduct. This code, appropriate to the locale in which it is applied, encapsulates the characteristics or qualities of profession.

Chapter 3

Code of ethics / code of conduct

The terms, ‘code of ethics’ and ‘code of conduct’, have been used interchangeably by teachers and organizations. There are, however, differences between the terms ‘ethics’ and ‘conduct’ and, as a result, how codes are written.

Moss Curtis (2006) cites DeSensi and Rosenberg (2003) in defining ethics: as broadly defined concepts of “truth, justice, honesty, right and fairness”, with more specific definitions of ethics as a “principle of right and wrong conduct and decisions”. Banks (2003) explains that “a code of ethics is usually a written document produced by a professional association, occupational regulatory body, or other professional body with the stated aim of guiding the practitioners who are members, protecting service users and safeguarding the reputation of the profession”. Professional ethics can best be synthesized (and simplified) as a set of beliefs that a teacher accepts concerning relationships with students, colleagues, employers, and parents (or guardians and caregivers of children), all of whom are stakeholders in the life of the teacher. These principles guide the teacher in their daily activities in working with their stakeholders.

Moss Curtis (2006) refers to DeSensi and Rosenberg (2003) further in describing how ethics influence individuals:

Teaching or dictating ethics to professionals is not an easy task. Ethical theories about professional behaviour must provide both a reasonable and consistent guide to individuals. One theory maintains that “without influencing personal ethics in people’s daily lives, the overall social effect of being truthful, fair and right is difficult to achieve (DeSensi and Rosenberg, 2003: 13). However, the same theorist asserts that few people can keep their personal and professional ethical selves separate

and that ethical standards neither exist in a vacuum nor are mutually exclusive .

This distinction is important in the development of a code: personal and professional elements of a person are difficult to keep separate. The values an individual has (or has not) influence all decisions the person makes. Additionally, principles of a code to regulate behaviours are not developed ‘in a vacuum’ and are not isolated from each other. They are responsive to and reflect the society in which they are developed.

The term ‘code of conduct’ as used by a profession discusses or describes the behaviours of a group. The code sets out principles of action and standards of behaviour, how the members of the group will operate or work. Raiborn and Payne (1990) note that for a code to be useable and viable, the qualitative characteristics of “clarity, comprehensiveness, and enforceability” are required. The concept of clarity alludes to ‘the absence of ambiguity, doubt or vagueness’ and, citing DeGeorge (1986), “written in an understandable, concise, specific, and honest way”. A comprehensive code implies that all conduct is addressed, which “may sound unreasonably broad, but it is necessary due to the idea of conforming to the spirit as opposed to the letter of the law”. Descriptions of expected behaviour which contravene the code must be specific. Sanctions concerning the behaviour must be identified for three reasons:

- (i) to maintain the clarity and comprehensiveness of the code;
- (ii) to allow the individual an opportunity to decide if an improper action is worth the corresponding punishment which will be meted out;
- (iii) to provide for the enforcement of the code. If punishments are not specified, people performing unethical acts will most likely continue to act in ways they view as beneficial to themselves or to the organization (Raiborn and Payne, 1990: 884).

These three characteristics when applied to a code will ensure that it is understandable, sufficiently detailed to apply to situations, and prescriptive in its application of sanctions.

Moss Curtis, citing DeSensi and Rosenberg (2003), Fieser (n.d.), and Keith-Spiegel *et al.* (2002), provide additional caution in developing a code which a profession may undertake:

When viewing ethics of a profession, one must look at the collection of individuals within an organization, and the responsibility for ethical conduct that they have undertaken. If ‘ethics’ involves the articulation of good habits that members of a profession should acquire, the duties that they should follow, and the attending consequence of such behaviours, makes it clear that ethics in a profession must be viewed from both personal and business viewpoints in order to assure the highest possible standards. Therefore, to shape the ethical behaviour of a group of individuals practicing in business, human interests, values, and needs, as well as financial or economic criteria, should be taken into consideration.

Even when ethics are narrowed to a specific field such as education, conflicts invariably arise and must be dealt with, perhaps everyday, that are not specifically enumerated in ethical standards promulgated by these organizations. Accordingly, an effective approach to the ethics of a profession must focus not only on specific rules or regulations, but also on raising collective and individual consciousness of the potential ethical issues that may be encountered.

An example illustrating what Moss Curtis’ (2006) references on ‘raising collective and individual consciousness’ is that of the corrupt behaviour that exists in some jurisdictions. Addressing corrupt behaviour by raising collective and individual consciousness may deal with the issue differently than past practice, i.e. use of the regulations and rules to raise awareness of a problem, and dealing with it.

Most jurisdictions governing teacher conduct develop a code of conduct or code of ethics. The Victorian Institute of Teaching (VIT) developed both codes. The VIT Code of Ethics (2005) is described as “a short aspirational document, based on three values identified by teachers as underpinning their profession: integrity (personal and profession), respect, and responsibility. It

recognises the unique position of trust and influence that teachers, hold, and how this shapes their relationships with students, parents/guardians/caregivers, colleagues and the community”. The Code of Conduct, developed from the values stated in the Code of Ethics, “sets out the standards of professional and personal conduct and professional competence that the profession expects from its members” (King, 2008: 82).

For a code to be considered effective, it must be framed for the membership to influence positive behaviours. If the code is understandable, detailed, and executable, it can be applied in a more straightforward manner. While a code can establish expectations or directives for a profession to influence positive behaviours, these expectation or directives “cannot establish consistently improved ethical behaviour, but that the values of many adults seemed largely inherited from the surrounding culture” (Dean, 1992 cited by Farrell and Cobbin 2002: 161).

Terms used in professions have been applied in many ways. Generally the term ‘professional misconduct’ refers to conduct which may deserve a sanction. Some statutes provide that an individual may be disciplined for ‘professional misconduct’ or ‘conduct unbecoming’ while other statutes have provided that there can be discipline for ‘infamous conduct’ (Casey, 2005: 13-1). Discipline can be applied to members when the behaviour occurs outside the profession but is considered to have an impact on clients. Consider the case of a teacher³ who published an article and letters in a newspaper outlining his views on homosexuality. He was found guilty of professional misconduct even though he expressed his views as a private citizen; his off-duty conduct was disciplinable because the publications were discriminatory since the British Columbia College of Teachers disciplinary committee ruled he presented his views while still teaching. His conduct had a negative impact on the school system and compromised his ability to carry out his professional obligations.

3. Kempling v. College of Teachers (British Columbia) (2004), [2004] B.C.J. No. 173, 2004 CarswellBC 210 (S.C.) affirmed (2005) D.L.R. (4th) 169 (B.C.C.A.).

Codes of ethics or conduct are not to be confused with standards of practice. Standards of practice have also been developed by several jurisdictions (for instance Scotland, New Zealand, and Ontario in Canada). These also apply to teachers but are more concerned with the teaching activities that occur in the classroom than in the conduct of the teacher. In examining standards of practice, elements related to conduct are embedded. For example, in the summary of Professional Practice provided by the Victorian Institute of Teaching, teachers “plan and assess for learning; create and maintain safe and challenging learning environments, use a range of teaching practices and resources”. Several *codes of conduct* also delineate the need to provide a ‘safe’ environment for students. In addition, the *standards for professional practice* for teachers in Scotland and Ontario, Canada also include the need to provide a safe learning environment. As seen in the above examples, overlap can exist between codes of conduct and standards for the teaching profession.

Chapter 4

The need for codes

Anangisye and Barrett (2006) in their study of Tanzanian teachers found that “teacher misconduct and unprofessionalism, together with corruption amongst educational administrators, threatens to undermine current initiatives to improve educational quality in many low-income countries, including most of sub-Saharan Africa”. They argue that approaches to advance ethical standards must be established “on an understanding of the positive professional models to which educators aspire”. Vadner’s 2005 study of teachers in Guyana calls for a code of conduct to protect teachers from mistreating each other.

Great support exists in developing guidelines for professional ethics, including UNESCO / ILO with its recommendation concerning the status of teachers: “Codes of ethics or conduct should be established by the teachers’ organizations since such codes greatly contribute to ensuring the prestige of the profession and the exercise of professional duties in accordance with agreed principles” (Fredriksson, 2004: 11). Education International (2001), in its Education International Declaration on Professional Ethics, supports the use of such a code because it addresses educators and their relationship with the profession, students, colleagues, ‘management personnel’, and parents. The Declaration advocates for support from the community for educators.

The role that education unions play in the lives of teachers has a direct impact on the lives of students. With teacher registration, certification and de-certification, competence and the determination of competence on the agenda of many countries, education unions can be left out of the discussion process unless the unions accept some responsibility in determining and enforcing codes of conduct or ethics. South Africa, Nigeria, Scotland, provinces in Canada, states in Australia, among others, have established regulatory agencies or colleges of teachers that determine teacher registration

and certification. In most jurisdictions, the function of education unions in that process is not established. What regulatory role will they assume is asked by Hanley (1998). Teacher unions can assist in monitoring critical processes and making communication and administration more transparent (Fredriksson, 2004). Teacher organizations have a role to play; more discussion on professional standards and professional ethics need to occur and, furthermore these organizations need to promote professional ethics.

Not all agree that teacher unions should have sole responsibility for developing and enforcing teacher codes of conduct. Campbell (2004), as cited by Ward (2007), believes that loyalty to the union has priority over responsibility to the child. Loyalty to colleagues prevents teachers from lodging a complaint about another teacher's misconduct. Campbell recognizes that teachers have competing values that they must address and reconcile. Questions arise: Can a union discipline its members when its code of conduct has been contravened? Is this akin to 'the fox guarding the henhouse'? The role of a teacher's union in most jurisdictions is to advocate for the teacher, to ensure that teachers are protected with procedural fairness and natural justice when and if difficulties arise. Dresscher (2008) weighs into the discussion, he believes that unions can at the same time represent teaching as a whole, though it might be difficult sometimes, especially when winning the trust of the public is concerned. Positioning themselves symbolically more as representatives of education might help to increase the trust in which unions are held.

He asserts that the code, *Declaration of Professional Ethics*, developed by Education International, is "based on human rights and (...) is meant to further these rights". Self-discipline is key with a code that is created by the profession and not by government or school board. His enforcement method is to ban the teacher from the union and therefore exclude the individual from teaching. Dresscher disagrees with Campbell (2004): unions have a dual role, not only to "defend the teacher's best interest but also that of the children".

Chapter 5

Purpose of the code

John Mbabazi, as director of education, stated in his directive to teachers that caning, indeed, all forms of punishment that could cause injury, would be banned in all Ugandan schools. If teachers and others ignore the guidelines, they would be held criminally responsible and would also be subject to the teacher's code of conduct. This, however, is not the only purpose of a code of conduct or a code of ethics.

In summarizing the functions of codes of ethics, Banks (2001) contends that, in addition to the protection of clients, codes provide guidance “about how to act and how to make ethical decisions, either through encouraging ethical awareness and reflection or through explicit rules”. Codes enhance professional status since every profession references a code of ethics, one hallmark of a profession. Codes create and maintain professional identity “through the explicit statement of the core purpose, key ethical principles, the kinds of qualities expected of people who belong to this profession and the kinds of conduct required” and, finally, codes provide “professional regulation through requiring members of a professional group to adhere to the code and using it for disciplinary purposes in cases of misconduct”.

A review of purpose of codes of conduct and codes of ethics reveals similar characteristics. Often the codes imply that the protection of clients, in this case, children and those who are vulnerable, is what can be expected of the teachers. Campbell (2000) supports the above-stated criteria but questions further: Is the purpose of a code to be “a resource as a guide for teachers struggling with ethical issues (...) in their daily lives”, or provide public accountability with discipline and sanctions for teachers? Could a code be both guiding and accountable? The decision on what type of code to develop (i.e. a resource guiding members, or an accountability measure that

sanctions and disciplines members, or both) must be decided early in the process of developing the code.

Several codes in their preamble outline the intention of a code of conduct or ethics. Some agencies use the term ‘objectives’ to explain what it is intended to be or how it is to be used. Both types of codes (ethical and conduct) outline what can be expected of the teacher although a code of conduct tends to be more specific.

The preamble of the Bahamas Union of Teachers states:

The teacher recognizes the magnitude of the responsibility inherent in the teaching process. The necessity to earn the respect and confidence of one’s colleagues, of students, of parents and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct.

The code of ethics of the Bahamas Union of Teachers sets standards of conduct for teachers in Bahamian society. The term ‘teacher’ as used in this code of ethics includes ‘Principal’.

The preamble of the Ghana National Association of Teachers is more extensive:

We, professional educators of Ghana, affirm our belief in the worth and dignity of man. We recognize the superior importance of the pursuit of truth, the encouragement of scholarship, and the promotion of the democratic citizenship. We regard as essential to these goals the protection of freedom to learn and to teach, and the guarantee of equal educational opportunity for all. We affirm and accept our responsibility to practice our profession according to highest ethical standards. We acknowledge the magnitude of the profession we have chosen and, engage ourselves in, individually and collectively, to judge our colleagues and to be judged by them in accordance with the applicable provision of our code of ethics.

The Council of Professional Conduct in Education (Hong Kong) identifies objectives found in its code:

- To promote a sense of professional identity among members of the profession.
- To enhance morale among members of the profession by formulating a set of recognised ethical standards to which all members of the profession would adhere.
- To provide self-disciplinary guidelines for members of the profession by formulating norms of professional conduct.
- To establish and maintain high standards in education by providing guidance for members of the profession.
- To obtain the community's confidence in and support for the profession by emphasizing the social responsibilities of the profession towards the community.
- To elevate the autonomy and social status of the profession through professionalisation.
- To promote democratization in educational policy making.
- To promote democracy in society.

(Council for Professional Conduct in Education, 1995: 2)

The Ontario College of Teachers⁴ *Ethical Standards for the Teaching Profession* states the purposes as:

- To inspire members to reflect and uphold the honour and dignity of the teaching profession.
- To identify the ethical responsibilities and commitments in the teaching profession.
- To guide ethical decisions and actions in the teaching profession.
- To promote public trust and confidence in the teaching profession.

(Ontario College of Teachers, 2006)

4. The Ontario College of Teachers is a self-regulatory body that licenses and disciplines (where necessary) its members.

The *Teachers Code of Conduct* of the Teachers Registration Council of Nigeria⁵ affirms that its objectives are to:

- Re-awaken the sense of self-esteem, dignity, honour, selfless service and moral rectitude in the teacher.
- Protect the teachers' age-long position of nobility and leadership in the social, moral, and intellectual world.
- Build a strong moral foundation for the actualization of an educational system that can compete favourably in the global community.
- Boost public confidence in the ability of the teaching profession to regulate itself and to bequeath to the nation products that are capable of making maximum contribution towards the development of the nation in particular and the world in general.
- Provide an objective yardstick for the assessment of the teachers' conduct and discharge of professional duties.
- Help to guarantee the safety of the professionals and sustenance of the desired prestige of the teaching profession.
- Spell out the type of relationship that should exist between the teachers and their colleagues, students and other persons who would interact with them from time to time.
- Clarify teachers' rights, privileges, and obligations and their legal bases.

(Teachers' Registration Council of Nigeria, 2005)

These last three examples have similar traits. Each speaks of a relationship with the public ('public trust', 'public confidence' and 'community confidence'), which recognizes that teachers are accountable to a community beyond the classroom. Each addresses honour and dignity of the profession ('honour and dignity', 'sense of (...) dignity, honour' and 'professional identity'), which addresses characteristics teachers are expected to model. The concept of teachers' self-regulation is presented through 'regulate itself' and 'self-disciplinary guidelines'. Human values are contained in the codes.

5. The Teacher Registration Council of Nigeria registers all teachers in Nigeria and will and disciplines (where necessary) its members.

These values espouse what is required by and through teachers' actions: 'commitments', 'reflect', 'self-esteem', 'service', and 'self-discipline'.

Chapter 6

Elements of codes

In the broader field where values have been identified and studied across cultures, core values are found to be similar in various social groupings. Kidder (1994), in a unique study, presents a list of eight moral values gathered from discussions with 24 “thoughtful and articulate people”: love, truthfulness, fairness, freedom, unity, tolerance, responsibility, and respect for life. These eight “constitute a code of global values. Not *the* code, but *a* code”. Ianinska and Garcia-Zamor (2006), in their analysis of Kidder’s work, have gleaned the following examples of universal moral principles:

- respect (regard for the worth of people);
- non-malevolence (not causing harm to other people);
- benevolence (willingness and readiness to help others);
- integrity (honesty, sincerity, uprightness);
- justice (fairness, recognition of merit);
- utility (taking these actions that bring about the greatest good for the greatest number of people);
- double effect (deciding what to do if a good action will lead to unintended and unavoidable bad consequences);
- responsibility and caring, wisdom, hospitality and peace.

Later researchers have determined principles similar to Kidder. Moss Curtis (2006) summarizes the five principles that Royce (2001) believes need to be applied by educators in considering ethical issues in their teaching lives. These are ‘nonmalefeasance’ or do no harm to the students; ‘beneficence’ or do good for the students; ‘just’ or being fair and equitable in dealing with the students; ‘autonomy’ or allow students personal freedom over thought; and lastly, ‘truthfulness’ or promote integrity. Nonmalefeasance applied in the classroom ensures that information presented to students is accurate, that assessment practices are fair, and that a duty of care is exercised. Similarly,

beneficence applies to the well-being of students through intellectual and moral challenges, modelling appropriate behaviour, and exhorting students to do well.

Extending from the five above-stated principles, Royce (2001), cited by Ward (2007), suggests a framework for educators when sorting out ethical issues. These steps include recognition of the imbalance of power; consideration of ramifications of and alternatives to the decision; consultation with mentors; consultation of professional code; role and obligation as an employee; potential public scrutiny; understanding the issue from the student's perspective; avoidance of impulsive decision-making, and, if necessary, consultation with legal counsel. The code of conduct is only one component of Royce's framework; many factors are to be considered.

A code, the collective conscience of a profession, is identified as one of three types of codes by Frankel (1989). An 'aspirational' code states the ideals of the profession emphasizing the values that guide. An 'educational' code reinforces understanding of its terms by providing commentary and explanation "in dealing with ethical problems associated with professional practices". A regulatory code provides detailed rules governing conduct; these rules "are presumed to be enforceable through a system of monitoring and the application of a range of sanctions". Similar to Frankel, Farrell and Cobbin (2002) have deduced that three basic formats of codes exist:

- first, regulatory documents with specific advice to addressees on behaviour, often with a system of sanctions;
- second, short, widely phrased creeds often stating aims, objectives and values, with no specific guidance content and often encompassed in a larger document;
- third, elaborate codes covering social responsibility among the many stakeholders as well as a wide range of topics.

Within education, these three are generally devolved to two principal types of codes to influence teacher behaviour: one that highlights the 'ethical' elements of a code and one that focuses on the 'conduct' aspect. Sockett

(1993) and Campbell (2001, 2008) support the ethical elements of a code while Chapman (2002) and Raiborn and Payne (1990) acknowledge that the ‘conduct’ aspect is the direction required. Others (for instance, Vongalis-Macrow, 2007) accept facets of both styles.

Professional accountability according to Sockett (1993: 117/118) needs to be developed from “a moral basis” (i.e. embodies agreed-upon principles); “allows for multifaceted judgment” (i.e. comprehensive and wide-ranging); “is locally accessible” (i.e. responding to students, colleagues and parents first); and, “is adequately maintained by teachers” (i.e. teachers have a stake in the issue). For an aspect of accountability to occur in the education community, these four elements need to be recognized as crucial to the well-being of the community.

Within the teaching context, Sockett (1993) demonstrates how five major virtues of honesty, courage, care, fairness, and practical wisdom, explained by other scholars, are “central to an understanding of the practice of teaching”.

First, since teachers deal in knowledge and trade in truth, questions of honesty and deceit are part of the logic of their situation. Second, both learning and teaching involve being faced with difficulties and taking intellectual and psychological risks; that demands courage. Third, teachers are responsible for the development of persons, a process demanding infinite care of the individual. Fourth, fairness is necessary to the operation of rules in democratic institutions or, indeed, in one-to-one relationships. Finally, practical wisdom is essential to the complex process of teaching and, of course, may well demand the exercise of those other virtues (such as patience) that are contingent to the teaching situation.

This list of core virtues does not negate other virtues, some of which have been outlined years earlier in an Education Act: “truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance” (Education Act, R.S.O. 1990 s. 264 1(c)). Campbell (2001) acknowledges Sockett’s selection of virtues is “consistent with the best kind

of conceptualization of ethical codes or standards”. It is, therefore, essential, she asserts, that the focus on professional ethics is rooted in these principles.

If codes of ethics become too specialized in the peculiarities of the professional’s employment requirements or too bureaucratic or legalistic, and removed from core virtues, their possible implementation (if one were able to achieve it) may bear little resemblance to the moral professional endeavouring to make ethically correct choices.

In order for individuals to make the right choices in the moral sense, requires that the ethical standard or code guides and inspires individuals to act in an ethical manner. To achieve this end, the statements of the code must be based on the premise that teaching is a moral enterprise. These statements will then “serve as a catalyst for ethical discussion for teachers” (Campbell, 2001: 402).

Vongalis-Macrow (2007) contends that using Sockett’s collection of virtues, if taken further, would extend beyond the teacher’s relationship with students. She believes that “ethics can form the basis of collective values and behaviours” rather than putting the burden on the individual teacher to use ethics as a basis to guide practice. She cites Abbott (1983) who provides “five basic properties of professional ethics: universal distribution, enforceable visibility, allowance for individuality, collegial obligations, and alignment with recognized status”. Abbott suggests ‘a systematic approach’ to develop a common understanding resulting in a “universal professional understanding of ethics in teaching”.

In the Education International Declaration of Professional Ethics:

The teacher is represented as a principled figure, entrusted with moral authority, able to make sense of change, and in doing so, can help students to make sense of change. The Code of Ethics stresses the public duties and moral commitment of teachers as public employees entrusted by society. This trust requires teachers to adhere to a moral

code of conduct where true professionalism is guided by high ethical standards. Finally, the Code addresses teachers' social agency and political commitment. Thus, there are explicit clauses requiring teachers to combat racism and discrimination (Vongalis-Macrow, 2007: 26).

There are divisions among teachers concerning the Declaration of Professional Ethics. Wallerstein (1991) cited by Vongalis-Macrow (2007) identifies cultural practices and cultural attributes among classes, all shared subconsciously, which will affect any implementation. Issues such as gender, stereotyping, and leadership, as examples, are challenges that are outside the code of ethics confronting teachers.

Chapman (2002) suggests that a code of conduct, originating from a country's administrative or criminal code system or professional associations or unions is required as one response to teacher misconduct. Social standards that are outside the education system may be contrary to the ethical conduct that teachers should practise. Thus, educators need to know what conduct would be considered corrupt. Similar to an effective accountability system, codes of conduct will not work unless "there are effective means of communication, clear sanctions for violating the codes, consistent enforcement, and top level support. Codes of conduct alone do little to reduce corruption" (p. 11), Raiborn and Payne (1990) concur.

The Ingvarson and Keinhenz 2003 review of Standards of Practice for Beginning Teaching identifies the need to "integrate standards and assessments into a standards-based professional development system" with specific characteristics. These include "a clear practical purpose" (...) "provision of comprehensive guidance and advice for teachers" (...) "clearly expressed expectations of what is required in terms of performance and evidence for teachers to reach the standards (...)". While their review deals explicitly with standards for teaching practice, the transfer of these traits to a code of conduct is clear: the code should include a clear purpose, guidance and advice for

teachers, and a method to determine when teachers' performance and evidence demonstrates or violates the code of conduct.

Non-governmental agencies such as the Inter-Agency Network for Education in Emergencies (INEE) have also determined a need for a code of conduct. The INEE model code directs teacher behaviour and contends that the code should state (...) that educational personnel:

- exhibit professional behaviour by maintaining a high standard of conduct, self-control and moral/ethical behaviour;
- participate in creating an environment in which all students are accepted;
- maintain a safe and healthy environment, free from harassment (including sexual harassment), intimidation, abuse and violence, and discrimination;
- maintain regular attendance and punctuality;
- demonstrate professionalism and efficiency in their work;
- exhibit other behaviours as deemed appropriate by the community and education stakeholders.

This code is more explicit than several other codes cited (for instance, Victorian Institute of Teaching or the Ontario College of Teachers *Ethical Standards for the Teaching Profession*). A code of conduct, INEE asserts, should specify mandatory consequences for noncompliance.

Key components in codes of ethics or codes of conduct

A distinctive architecture structures each code of ethics or conduct. The examples below delineate the organizational headings that each association used.

The Education International Declaration on Professional Ethics: commitment to the profession, commitment to students, commitment to colleagues, commitment to management personnel, commitment to parents, commitment to its teachers.

- *Trinidad and Tobago Unified Teachers' Association*: the teacher's commitment to students, to colleagues, to the administration, to the profession and to the Association.
- *Victorian Institute of Teaching*: professional conduct includes relationships with students, relationships with parents (guardians, caregivers), families and communities, and relationships with colleagues. Two additional sections deal with personal conduct and professional competence.
- *Code for the Education Profession of Hong Kong*: commitment of the profession, commitment to students, commitment to colleagues, commitment to employers, commitment to parents/guardians, commitment to the community.
- *South African Council for Educators*: the educator and the learner, the educator and the parent, the educator and the community, the educator and his or her colleagues, the educator and the profession, the educator and his or her employer, the educator and the council.
- *Code of Ethics of the Teaching Profession Fiji Ministry of Education*: professional goals, professional conduct, professional commitment, unethical conduct.
- *Ghana National Association of Teachers*: commitment to the student, commitment to the community, commitment to the profession.
- *Ontario College of Teachers*: care, respect, integrity, trust.

Generally, each code provides headings of the key elements contained within. A variety of formats are utilized for the codes, which vary from one page to ten pages or longer. Each example code, summarized above, references the student or the learner. That is the one commonality: they all reference students.

Campbell (2001) cites the American School Psychological Association's 1998 ethical standards that precisely direct counsellors to their first responsibility: the students. This directive informs counsellors of their duty to students and not to other groups. This instruction to counsellors in the ethical standards is at odds with the instruction to teachers. While reference

is made to take care of and work with students, a review of teachers' codes shows that teachers have a commitment to the employer or community or profession, all groups which compete with students for the loyalty of the teacher.

In each code, each element is often delineated further either with examples or statements, which explain what the teacher is to do (or not to do):

A member of the profession shall refrain from activity that is detrimental to the image of the profession. A member of the profession shall not advertise or canvas for the purpose of promoting his/her own advantage (Code for the Education Profession of Hong Kong).

Teachers should make a constant effort to improve professionally. It is unprofessional for any teacher to impose, or attempt to impose, on another teacher out of normal school hours an excessive and unreasonable quantity of work of any kind (The Barbados Secondary Teachers' Union Code of Professional Conduct).

Teachers should have respect for the learner's right and dignity without prejudice to gender, race, religion, tribe, colour, physical characteristics, place of origin and age.

Teachers should resist taking gifts, favours, and hospitality from parents and guardians, which are likely to influence them to show favours to their children/wards in the performance of their duty (Nigeria Teacher Code of Conduct).

The wide scope of activity and the 'shall/shall not' range of directives for teachers are found in these examples. What is evident in these citations is that the understanding of the statement will vary from one teacher to another since some codes "lack precise professional direction" (Campbell, 2001: 400). The statements are open to individual interpretation.

At times, the teachers' duties are outlined in the code of conduct: "the teacher shall recognize the right of a parent to consult him, through proper

channels, on the welfare or progress of a pupil” (Malta Ministry of Education, Culture, Youth and Sport Teachers’ (Code of Ethics)). This shows similarity with the Ontario Education Act, Regulation 298 s. 20 (k): “a teacher shall (...) (k) participate in regular meetings with pupils’ parents or guardians”.

The Nigeria Teacher Code of Conduct (Rec. 61/69) has included some of the recommendations from the UNESCO/ILO Position on the Status of the Teacher citing these ‘rights’ to be afforded to teachers including academic freedom in selecting teaching aids and strategies; development of courses and teaching materials; a transparent inspection system that assists them in their teaching duties; an appeal process against unjustified assessments; close cooperation between parents and teachers with teachers’ professional responsibility respected; and, support from their employers against personal liability. The Code does not identify if these are extended to teachers or are given as examples of rights from UNESCO/ILO Position on the Status of the Teacher. Under Rights and Privileges of Registered Teachers, teachers are afforded legal status as teachers, with freedom to be identified as a registered teacher, freedom to teach, participation in council activities, and “professional salary scales, allowances and other benefits that may be secured by TRCN⁶ for registered teachers”.

The Code for the Education Profession of Hong Kong delineates general rights of teachers: “as a citizen, a member of the education profession should enjoy all legal rights and basic human rights”. It further outlines twelve rights of a teacher as a professional and twelve rights as an employee. These are in addition to the directives that apply to a teacher’s relationship with colleagues. If a teacher is required to respond *to* a colleague in a particular manner, then those same requirements are directed to the teacher *by* colleagues, thereby ensuring that a teacher is accorded the same. By way of example: if a teacher “shall treat his/her colleagues with respect as fellow professionals without discrimination on grounds of status, position, sex, race, colour, national origin, religious or political belief”, then the same treatment shall be afforded to the

6. TRCN: Teacher Registration Council of Nigeria

teacher by his/her colleagues. Many codes outline the conduct, relationships, commitment, or responsibilities of teachers directed *toward* colleagues, which then are applied to teachers as conduct, relationships, commitment, or responsibilities received *from* colleagues.

The code developed by Education International expects one further aspect not found in other codes, in response to the various relationships that a teacher has, Education International includes a commitment from the community such that the teacher be treated fairly as they undertake their teaching tasks, and to have their privacy is respected in living their personal lives.

Language used

The words, the expressions, and the idioms selected for the codes have impact on how they are viewed and implemented.

Banks (2003) addresses the various terms often found in existing codes and makes distinctions between ethical principles, ethical rules, principles of professional practice, and rules of professional practice.

Ethical principles are “general statements of ethical principles underpinning the work” (Banks, 2003: 134). As applied to teachers, ‘respect for the student’ could be considered such a principle.

Ethical rules are general rules about what to do or not to do in practice. ‘Information known about the student is considered confidential’ is applicable to teaching, in this case, implying that information about a student is not to be divulged.

Principles of professional practice are described as “general statements about how to achieve what is intended for the good of the service user” (Banks, 2003: 134). Such a principle is practised when teachers and principals report to the parent, at appropriate intervals, on the progress of the student.

This is contrasted with a *rule of professional practice*: “very specific guidance relating to professional practice” (Banks, 2003: 134). As an example, “teachers will maintain, under the direction of the principal, proper order and discipline in the teacher’s classroom and while on duty in the school and on the school ground” (Ontario Education Act R.S.O. 1990. S. 264 1(e)) is a specific directive regarding when and where teachers are required to exercise control and discipline.

Statements about character and attributes (for instance honest, frugal, love of country and so on) of the professional are not commonly included in a code of ethics although Banks (2003) recognizes that they do exist in some jurisdictions.

Thus, the selection of words or terms is crucial in conveying the appropriate message to those influenced and affected by a code of ethics, which is equally applicable to a code of conduct. This choice affects the ideas behind the codes, that is, what is the function of the code (see Purpose of the code).

The language applied is often (i) aspirational or inspirational in tone, or (ii) negative or prohibitive in tone, or (iii) a combination.

Ontario’s Ethical Standards are written in a permissive, affirming tone and are described by the Ontario College of Teachers as guiding and reflecting teaching practice. The sentences are worded in a positive form and could be considered inspirational, to encourage educators about the type of behaviour expected. For example, “trust: the ethical standard of Trust embodies fairness, openness and honesty. Members’ professional relationships with students, colleagues, parents, guardians and the public are based on trust.” The Code of Ethics of the Victorian Institute of Teaching is of a similar tone with positive statements including the proclamation: “[t]his Code sets out the ideals to which we aspire” reflecting the “highest potential for good” (Raiborn and Payne, 1990: 885). Written in this manner, the non-prescriptive language implies an openness in applying the code.

The above-cited examples are contrasted with the language found in The Bahamas Union of Teachers Handbook for Teachers, which provides the Code of Conduct. The tone is directive and prohibitive. “The teacher does not intentionally expose the student to public embarrassment or disparagement (...). The teacher does not act in such manner as might lead his/her students into breaches of law, or unacceptable moral or social codes of behaviour.” It prohibits certain behaviours, i.e. subjecting a student to ‘public embarrassment or disparagement’ but does not indicate what would be acceptable behaviour. Written in this manner, the language implies a strictness and rigidity with very little flexibility in applying the code.

The Nigeria Code of Conduct is a combination of aspirational and prohibitive: it adopts a positive preamble and omission and values statement (preface) (for example “Protect the teachers’ age-long position of nobility and leadership in the social, moral and intellectual world” but retains its somewhat negatively-framed detailed code (for instance, Teachers should not use their positions to spread their political, religious, or other ideologies among learner). The Malta Ministry of Education, Culture, Youth and Sport Teachers’ Code of Ethics is similar in style: “The teacher shall act, and shall be seen to act, with justice (...). The teacher shall not knowingly make a false statement concerning the qualifications and competence of a candidate applying for a position.” The second statement has a more confining style with contractual language.

Ward (2007) discovered that “many union codes contain negative statements intended to regulate behaviour (...) or [the union] uses a code of conduct to identify unacceptable behaviours”. She concludes “most education unions have a code of ethics, most of which are positioned in a negative and regulatory frame, with almost all codes silent in acknowledging the union’s membership in terms of diversity, and of members who are education personnel but not registered teachers”. Campbell (2001: 400) cites Watras (1986) who found that codes written by teacher unions were “inadequate, bureaucratic and legalistic” while Strike and Ternasky (1993) determined that

codes were “platitudinous and perfunctory”. The approach to writing is also dependent on the culture of the community and adopts that fashion.

Connelly and Light (1991) suggest another approach to the structure of a code: the first statement in a code should address and emphasize “responsibility and accountability to society” and “respect for learners and educators and their diversity” (McDonald and Wood, Jr., 1993: 245 citing Connelly and Light, 1991). Many codes address these issues but only after the directives on working with clients, colleagues, and others, and, then, in very general terms.

Chapter 7

Development of a code

The purpose of the code directs the development of the code and how it is written, however, the creation of a code should follow specific principles or framework (Sockett, 1993; Royce, 2001; Brock, 2000). Griffin, Cuc, Thi, Gillis, and Thanh (2006) emphatically state that development and implementation of strong standards need to be based on principles. Brock (2000), cited by Griffin *et al.*, contends that the identification of any professional standards must involve full discussion with and ultimately ownership of such standards by the teaching profession (...). Any attempt to establish professional teacher standards must be firmly grounded in accurate and comprehensive understanding of both the timeless and the evolving nature of the work of teachers, principals, and other school leaders.

While Brock's work is directed at teaching standards rather than ethical or conduct standards, the principles can, nevertheless, apply. The questions asked by Griffin *et al.* allow for three issues to be addressed regarding teachers: "What is expected of teachers? (requirement); What evidence would a teacher have to demonstrate to indicate that this was present? (performance indicator); How well did the teacher demonstrate this? (quality criterion)". Similar to Brock, Griffin *et al.* apply their framework to teaching standards. This framework is more general in scope than the following.

Kaslow and Rubin *et al.* (2007) developed a process and criteria to assist psychologists to recognize, assess, and intervene with problems of professional competence in students and practising professionals, and use when evaluating and managing competence problems. This team drafted the eight proposal statements and suggest that when assessing competence problems:

- define key terms, establish benchmark for performance and develop a categorization schema;

- prepare the system so that policies are in place that permit decision-makers to undertake appropriate assessment processes, and make and communicate decisions;
- evaluate and, when necessary, bolster self-assessment capacity for learning and responding to feedback for the purpose of identifying and addressing competence challenges and preventing competence problems;
- remediation strategies should be based upon a systematic evaluation that is balanced in terms of reliability and fidelity and designed to maximize learning, expand on self-assessment capacity, and utilize gate-keeping functions when indicated;
- consider the impact of beliefs, values, and attitudes about individual and cultural differences on decisions regarding problem identification, assessment, and intervention;
- communicate across levels of training, professional organizations, and credentialing boards, as appropriate;
- maximize transparency through identification and communication of limitations to the individual's rights to privacy and confidentiality;
- consider ethical, regulatory, and legal implications.

This framework as viewed by the developer team allows for remediation of the professional to occur rather than termination. This systems approach ensures that appropriate concern is awarded to identifying, intervening and preventing competence problems (Kaslow *et al.*, 2007).

At the time of Colnerud's research in Sweden, no code of ethics for teachers had been developed by the teachers' associations. Colnerud (1997) identified six conditions in teaching that can cause ethical conflict and concluded that professional duties and how they are performed overlap with general ethics. Where teachers' general duties and general ethics have commonality becomes that area of professional ethics in teaching. This common ground contains:

- ethical aspects to consider when dealing with individuals in a group;

- ethical aspects of the differential role; for instance assessment of low achieving pupils;
- ethical aspects of the socialising role; for instance bringing up other people's children;
- ethical aspects of the responsibilities for pupils now and in the future;
- aspects of general moral responsibility brought about by proximity to pupils;
- ethical aspects of the collegial relations;
- ethical aspects on the content of teaching.

Colnerud believes that the ethical dimensions of teaching must be part of professional competence and that these dimensions are visible in teaching. A comparative review of the elements that many of the codes described above hold, illustrates that the common ground Colnerud considers essential in teaching do, in fact, exist in many of the codes of conduct.

Those who develop codes of conduct often have jurisdiction over the codes as well as those whom the codes apply or delegate the jurisdiction to an agency at arms' length. This set of norms can be established by a group, or the group has the norms established for it. The rules and regulations or codes of conduct that govern teachers are established in one of six ways:

- (i) the government issues a document(s), often through legislation, that define the duties and rights of teachers (for instance Malta: *Teachers' Code of Ethics Regulations (L.N. 81 of 1988)*; Ontario, Canada: *Education Act* s. 264 and Regulation 298 *Operation of Schools – General* s. 20);
- (ii) the government and the teachers' association(s) agree to the legislation that governs teacher behaviour (for instance Ontario, Canada: *The Teaching Profession Act* and *The Regulation Made Under the Teaching Profession Act*; Thailand: *Regulation on the Teachers Council of Thailand on Professional Standards and Ethics B.E. 2548 (2005)*);
- (iii) the registration and certification board, generally a self-regulatory body outlines the standards of practice and ethical standards/code of conduct

- that apply to its membership (for instance Ontario College of Teachers, Victorian Institute of Teaching);
- (iv) the teachers' union establishes a code of conduct (for instance The Bahamas Union of Teachers: *Code of Ethics*, The Barbados Secondary Teachers' Union: *Code of Professional Conduct*);
 - (v) a teacher organization establishes a code of conduct (for instance Hong Kong: The Council on Professional Conduct in Education: *Code for the Education Profession of Hong Kong*);
 - (vi) a generic code of conduct is developed collaboratively and applied to a particular jurisdiction (for instance Organization of Eastern Caribbean States: OESC Generic Teachers' Code of Ethics). The generic code is adapted to develop a code specific to the needs of a local community.

Regardless of the organizations involved, the documents developed basic set rules for teachers (and often other educators) to follow and provide a minimum set of standards.

Development of Dominica Association of Teachers Code of Ethics

While Dominica has recently adopted a code of ethics, the process to develop the code began in the early 1990s. Kenneth Samuel, president of the Dominica Association of Teachers (DAT) at that time, collaborated with the Caribbean Union of Teachers (CUT) (which had developed a draft code) and lobbied with CUT to have the code recognized. The process for implementation was hampered; implementation occurred “in a very minute way through a series of summer workshops” (Prentice, 2008) conducted by DAT.

Several years later, a concerted effort of the Organization of Eastern Caribbean States (OECS) led to discussions on education reform. *Pillars for Partnership and Progress* identified that “the institution of fair and effective terms and conditions of service of teachers as a key component of the enhancement of the quality of education” (OECS Education Reform Unit, 2005: 4). Developing (and ultimately applying) a generic code of ethics would

contribute to teachers' obligation to students and the profession (OECS Education Reform Unit, 2005: 4). Specifically, Strategy 57 in *Pillars for Partnerships and Progress – OESC Education Reform Strategy: (2000)* states:

- (enhance the status of the teaching profession by) encouraging and supporting teachers' unions in the sub-region to convene a working group to draft a harmonized Code of Ethics from among existing codes;
- encouraging teachers' union in the sub-region to formally adopt the common Code of Ethics drafted by the working group and to use it both to inspire and discipline their members (OECS Education Reform Unit, 2005: 6).

The Teacher's Work Survey (2000) "suggested that professional development and opportunities predicted a high commitment to teaching" (OECS Education Reform Unit, 2005: 6). It further recognized that teacher's commitment to teaching was influenced in a positive way by the quality of school administration.

In 2000s, the reform unit (OERU) of the Organization of Eastern Caribbean States (OECS) invited Caribbean States' Ministries of Education and teachers' unions' representatives to develop "fundamental principles for a generic Code of Ethics" (OECS Education Reform Unit, 2005: 4). This working group consisted of a consultant, education officers of various countries in the OECS⁷ and presidents or vice-presidents of teachers' unions. The representatives from Dominica were Arundell Thomas, Assistant Chief Education Officer and Gloria Shillingford, 2nd Vice-President of DAT and trustee. Celia Nicholas, the DAT President, also worked on the project. Support and administrative personnel were involved in the development of the documents. During the first meeting (November 2003), a set of underlying

7. Countries participating included Anguilla, Antigua and Barbados, British Virgin Islands, Dominica, Grenada, Montserrat, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines.

principles for the generic code was developed; Ministries of Education and teachers' unions were invited to comment. The next step, to review the comments and revise the principles, occurred the following year with the working group attentive to the OECS Teacher Appraisal Scheme, the OECS Guidance and Counsellors Handbook, and the appropriate articles from the Convention of the Rights of the Child. The current version of the Code of Ethics was developed in November 2004.

The generic code, as envisioned by OERU, is to “stimulate the growth of teacher professionalism and an awareness of the role of ethical principles in the process of formal education” (OECS Education Reform Unit, 2005: 5). The Code provides guidelines that support teachers' professional action and responsibility. The Code is partnered with other proposals⁸ “and the professional and administrative initiatives that would complement the principles and guidelines developed in this framework” (OECS Education Reform Unit, 2005: 7).

When local discussions were required in Dominica, “parents, representatives of PTAs, Arundell Thomas, OESC personnel, and DAT all collaborated. There were also representatives from other Trade Unions and the Private Sector (Prentice, 2008) involved”. The process lasted for about five years and “Dominica was the first OECS country to implement the Code of Ethics” (Prentice, 2008).

The steps to the Communication and Implementation Plan (Prentice, 2008) are outlined below:

- focus group at OECS;
- educational ministers of OECS;
- chief education offices of the OECS;
- Ministries of Education – national;
- Caribbean Union of Teachers – Executive;
- teacher trade unions;

8. No example of any other proposal was given in the document.

- individual teachers;
- meeting of principals;
- two drafts produced and circulated among stakeholders – responses shaped the final document;
- launching of booklet – Ministry of Education in collaboration with the DAT;
- Ministry of Education and DAT distributed copies to every school and teacher in Dominica.

Discipline, DAT states, occurs with the following process:

- (i) The conduct of teachers and members shall be guided by a code of ethics endorsed by the Biennial Convention or a National General Meeting.
- (ii) The National Executive shall strive to set up a special committee comprising five Full Members of the Association to deal with complaints of unprofessional conduct or of non-compliance with the rules of the Association. Such a committee shall enquire into the alleged offence and shall make recommendations to the National Executive.
- (iii) Any member so disciplined shall have the right to appeal the decision at the National General Meeting immediately following the decision. The ruling of the National General Meeting shall be final (<http://dateachers.4t.com/constitution.htm>).

Dominica introduced the Code of Ethics in the fall of 2008 (Prentice 2008, December 10), therefore, no comments on implementation (and its success or challenges) or teacher acceptance/response are yet available.

Issues to be addressed concerning the development of a code of conduct

Education has been viewed as a commodity with standards, audits, and benchmarks. Children and teachers, however, are not ‘widgets’ stamped from a machine. While some business and industrial activities (for instance, financial audits) can be transferred successfully to education, others (for

instance, lock-step teaching and learning) may not. Similarly, development of codes cannot be uniform for all teachers and educational divisions.

Connelly and Light (1991: 238) describe a code of ethics: [it] “speaks to the very best of the profession (...) a projection of the vision of professional identity as it ought to be.” Ideals are never easy to convert into action. They argue that the development of enforcement mechanism and procedure have to occur in a later stage. The first step is “to raise consciousness about the common among (...) educators”.

Sergiovanni (1992), cited by Campbell (2001: 409), suggests that “only when code-specific behavior and underlying ideals and values are connected – only when it is accepted that what teachers do and why they do it are connected – will professional codes cease to be rules of professional etiquette and become powerful moral statements.” He provides an option to developing a code very different from a prescriptive code, one that is based on the marriage of behaviour with values and ideals.

Ward (2007) critiques Royce (2001) and others who identify the virtues listed or implied in most codes of ethics as based on traditional western philosophies. Establishing a code of ethics for a particular culture requires an understanding of the culture. Applying philosophical underpinnings ensures that the code will be understood by those who will practise it and by those who are affected by it. An examination of standards relevant to indigenous cultures and response to current directions of indigenous education is essential before a code is developed.

To guide the development of codes of conduct, the INEE *Guidance Notes on Teacher Compensation* (2008: 18) asks “Is an appropriate code of conduct in place which has been translated into local languages, explained to teachers, head teachers, school owners and Parent Teacher Associations / Community Education Committees and agreed upon and signed by teachers? Is this based upon government policy (if in place)?” Implied in these questions are activities of sharing information with and acceptance of the code by local stakeholders.

Ungaretti, Dorsey, Freeman and Bologna, (1997) refer to additional cautions for consideration; citing Noddings (1993) and Nash (1997), they would require that “the voices of minorities and women”; that “individuals’ emotional personal lives not be ignored”; and that “culture and tradition color personal and professional interactions” are considered, and more important, included in the code. The need to expand beyond the majority or ‘power’ group is highlighted with these concepts.

Chapter 8

Participants in development

In general, those involved in the development of codes for professional self-governing bodies included mainly teachers' associations, governmental departments or ministries and accreditation bodies, if they exist.

Connelly and Light (1991) address the question of responsibility for development of a code. They suggest representatives from other educational organizations be involved: "consultants in ethics and codes of ethics and lay persons". They affirm that lay participants are critical given Connelly and Light's emphasis on "responsibility and accountability to society".

The Victorian Institute of Teaching (Australia) developed its Code of Conduct subsequent to the Code of Ethics, with a working committee of teachers, principals, employers, parents, unions and representatives of various educational organizations. It canvassed and met with various stakeholders to develop the Codes. In 2008, the Institute was reviewed and again a variety of stakeholders were involved in the review: teachers, employers, the department of education, the regulator itself, educational institutions, associations, unions, parents, school advisory boards, independent schools, universities, and teacher education institutions.

In Hong Kong, a visiting panel of international educators recommended in 1982 that Hong Kong Teaching Service be established with the purpose of promoting the professional status of teachers. This advice was not followed but instead the decision to develop a code of conduct was reached. The Education Department created the Preparatory Committee, Professional Code for Educational Works in 1987. This committee of 25 working members was elected from 63 educational organizations to build the Code; it worked until 1990 and, with local consultations, created the Code for the Education Profession of Hong Kong.

The South African Council for Education (SACE) provides for teacher registration, promotes professional development for educators and sets, maintains, and protects ethical and professional standards for educators. To effect the last obligation, SACE reviews the code of ethics periodically; it also determines a hearing or disciplinary process for the recalcitrant educator. The Code for Professional Ethics was developed and accepted by the teachers' unions and by the employer. SACE states that the code was not 'imposed' and can be described as a "social agreement or contract" (SACE Handbook 2006: 4) developed through a bottom-up versus a top-down approach.

In Nigeria, the code "has received the inputs from a wide spectrum of stakeholders".

The Bahamas Union of Teachers, at its general meeting, under the General Secretary and the executive, ratified the Code of Conduct, which is one component of the Handbook for Members (McPhee, 2008).

Issues to be addressed concerning participant involvement

A code of conduct developed by teachers for teachers gains greater acceptance when it is not imposed from outside the profession. The ethic of determining ethical norms for a profession requires discussion by and with the professionals responsible for implementation into the professional community as well as ultimate acceptance by the school community.

Political ideologies influence or determine the ethical position of the union and its members (Dresscher, 2008: 38).

Farrell and Cobbin (2002) argue that a participatory process, that of forming committees to study ethical questions that occur in the workplace, is consistent with findings of behavioural change experts. "People more readily accept and assimilate ideas that they have developed themselves".

Chapter 9

Activities used in development

Developing a code of conduct or ethics requires a variety of activities to ensure that all stakeholders have opportunities to respond. The agencies involved in code development must choose activities that will yield information to address the local needs.

In Victoria, through focus groups, ‘school-based forums’ and consultations with organisational stakeholders provided ‘direct, detailed and valuable feedback’. The broader community and teaching community responded to the draft document. Feedback was collected and analysed by the working committee in order to finalize the Code of Conduct.

The Trinidad and Tobago Unified Teachers’ Association developed its first draft of its Code of Ethics in the early 1980s. In 1986, its Professional Advancement Committee generated a new draft and conducted a national consultation. Ideas from this consultation and other professional and teacher organizations were reviewed with the final version adopted in 1988.

In Malawi, the teachers’ union developed a *Statement of Professional Ethics and Code of Conduct for Teachers*. The union held consultative meetings and solicited feedback from the membership who “expressed their critical views in the area of disciplining” (Education International, March 2006, p. 1).

In Ontario, a draft of the *Ethical Standards for the Teaching Profession* was prepared and invited comment. Of particular importance was the use of case studies presenting an ethical dilemma which brought up questions of judgment. The real life situations provided participants with opportunities to review and consider their own professional judgments and actions. The multi-stage approach used focus groups, open space technology, written

self-administered questionnaire, and written briefs. The following four open-ended questions were used:

- What was your overall response to the draft Ethical Standards for the Teaching Profession?
- Please highlight any specific comments or suggestions you may have regarding the ethical standards statements. Please be sure to indicate which standards statement you are addressing.
- How well do these ethical standard statements describe what you feel is important in professional values and ethical responsibilities of the teaching profession? Please explain.
- In what ways do you think the ethical standard statements would be useful to teachers in ethical decision-making?

Several years later, the College conducted a review of the standards developed in 1999, inviting comments and advice on each individual standard. This review followed a methodology that provided a variety of approaches: a national and international literature review; data gathering, data analysis (reviewing meaning, language, concepts, content and structure of the ethical standards using information from 25 focus groups, 90 open space reports, 799 questionnaires, written briefs and discussion guides) data synthesis, re-construction of the ethical standards and validation of the standards (using direct mailing, feedback forms, regional forums, internal consultation, discussion guides, written briefs, and case discussions).

Key to determining what changes were required were the following questions: *Question 1:* To what extent do the following statements accurately reflect the professional values and ethical responsibilities central to the profession? This was followed by the twelve ethical standards for comment. *Question 2:* To reflect the professional values and ethical responsibilities central to the profession more accurately, what changes to the ethical standards do you suggest? (Ontario College of Teachers, p. 16/18).

Themes developed from the review included professional judgment, ethical decision-making, ethical knowledge, ethical resources, authenticity,

responsibility, autonomy, commitments, freedom and justice, professionalism, ethical leadership, and centrality of ethics. This process resulted in significant change from the earlier standards, a combination of rules, principles, and practices to standards found in ‘an educative, inspirational framework’ (Smith and Goldblatt, 2007: 34).

Chapter 10

Stages of implementation

An effective implementation plan is essential for successful understanding and application of a code of conduct or ethics for teachers and other educators for whom the code may apply.

The Legal Affairs and Ethics Department of the South African Council for Educators (SACE) over the years has conducted workshops on ethics and the rights of educators. The Department reasons that educators aware of their rights and responsibilities are better able to act in accordance with the requirements of the profession.

Furthermore SACE contracted the development of a detailed Handbook for the Code of Professional Ethics. The content and activities contained in the handbook were collectively developed by writers and editors at the Unilever Ethics Centre at the University of Natal. A pilot version was tested in provincial workshops by members of SACE with approximately 400 representatives from union and education department across the provinces offering feedback to develop the final copy. The sources for the content and activities come from actual issues, problems, and dilemmas in which teachers play a central role. The 153-page handbook addresses Ethics and the Code, Evaluation, Values and Tolerance, Comparative Ethics, Ethical Theories, Human Rights, Being an Ethically Competent Professional Educator, Moral Development, and finally, a Closer Look at the Code of Professional Ethics. Further description of the handbook is contained in an overview, Handbook for the Code of Professional Ethics DOC:

As the title indicates – this Handbook for the Code of Professional Ethics is unlike other teacher reference materials in nature and in form. It is a manual that teachers can actively interact with individually, in pairs or in a group with their colleagues. One other critical point to note about this handbook is that its content is in tune with the values which an educator is expected to

teach described in documents such as Norms and Standards for Educators, Curriculum 2005, the National Curriculum Statement, and the Further Education and Training Curriculum Framework. This Code of Professional Ethics goes one step further and describes the values which should govern an educator's working life.

The book deals with issues that are central to their everyday professional lives in a thought provoking approach thereby generating debate and discussions around what it means to be an ethical educator. The focus here is ethical issues in education.

Given the complex nature of what is ethical, the information in the handbook is not a prescriptive way – telling educators what to do in any specific situation (SACE, 2006: 1/2).

The tone of the SACE Code Handbook (2006: 14) is more invitational than prescriptive but does provide language to show what could be the alternative:

The SACE Code and the legislative power behind it does mean that professional educators must act ethically or they will be transgressing the Code and liable to punishment. Our point is that the professional educator should want to be ethical rather than reluctantly being forced to be ethical.

For the Code to be effective, it has to be something that educators believe in and want to achieve, not something that is forced down their throats. It has to have consent of educators and they must freely choose to act in compliance with the Code and the principles and values that underpin it. This is one reason for SACE to construct the Code in a consultative manner leading to a 'social contract'.

In Hong Kong, every practising teacher received a copy of the Code for the Education Profession of Hong Kong after it was developed. An implementation plan (Recommendations for Implementation) was established.

The Australian Capital Territory held workshops in which all teachers participated to ensure that they understood the requirements of their code, *Teacher's Code of Professional Practice*.

The Bahamian Teachers Code was included in the Handbook for Members and the four district vice-presidents received training in the Code. The process for implementing and reviewing the Code of Conduct is on-going. The district vice-presidents hold monthly workshops/meetings and provide training on the entire handbook (McPhee, 2008).

Skeve (2007) discusses the work of a nongovernmental organization, the Norwegian Refugee Council (as part of INEE) in Somaliland, and the development of the Code of Conduct with focus on teachers' relationship with students and parents and the community. In addition, the Council included 'provisions pertaining to the relation between teacher colleagues'.⁹ The Code was shared with the education staff who provided feedback; the document was revised and approved by the Ministry of Education. Each teacher signed a copy of the code.

Training forums in Somaliland occurred where the Code was examined but these discussions were not held in isolation. The outcome of the sessions was to improve the education of children including child protection. The topics examined included child-centered teaching; roles and responsibilities with regard to the protection of children; human rights and gender; addressing breaches to the Code; group discussion with all teachers on the Code and "ensuring a girl-friendly environment" (Skeve, 2007: 4). The Ministry of Education acknowledged the importance of this Code of Conduct by issuing a policy statement accepting the Code as being "in line with the national education policy". Ministerial support heightened the visibility of the code.

There were, however, challenges with the implementation of the Code of Conduct in Somaliland. The Code was not understood, or approved, by

9. Only 11% of the teachers in Somaliland are female. 40% of female teachers involved with the Norwegian Refugee Committee are teaching in schools with co-workers not accustomed to female teachers in schools.

some teachers who disagreed specifically with the changes concerning corporal punishment, the requirement for gender sensitive teaching, and the display of negative attitudes to female teachers. Training and monitoring helped most teachers eventually support the Code. Regular monitoring and supervision especially in remote and/or inaccessible areas was limited; more frequent monitoring required additional resources from the Ministry of Education. With lack of ministry resources, communication about the Code of Conduct and Ministry policy was limited, thus making the activity of informing teachers about the Code difficult. The Community Education Committee is responsible for monitoring teachers and dealing with minor contraventions of the Code. The Norwegian Refugee Council and the Ministry of Education were involved in the sanctions that ranged from a warning to contract termination, but procedures varied from one village to another (Skeve, 2007: p. 4/5).

Several lessons were learned in this project. Greater collaboration with the Somaliland Ministry of Education is required. Greater teacher involvement in the development of the Code would 'create better ownership' for teachers. "Enhanced capacity building of management" (Skeve, 2007: 5) should be further developed, and more female representation on the Community Education Committee is required.

Are Schools Safe Havens for Children? Examining School-related Gender-based Violence (2008) delineates some recommendations to assist in implementation of codes of conduct: the Ministry of Education is to "implement a code of conduct for teachers, school personnel, and students that expressly prohibits gender violence (...) and includes a system for addressing violations of the code" and "distribute the code of conduct widely, including distribution to parents and students". Teacher training institutes should instruct on "responsibilities for enforcing codes of conduct" through pre- and in-service programs for teachers, headmasters, school administrators and guidance counsellors and encourage these educators in their duty of care to children "by placing greater emphasis on ethical standards of behaviour". Teacher unions need to develop a professional ethics code, educate members

about the code of conduct, and emphasize the ‘teachers’ roles as protectors of children’s rights’. In addition, the union is to “enforce violations of the code of conduct or the declaration of professional ethics with members” and “conduct outreach with members about regulations governing professional conduct (...)”. Schools “enforce codes of conduct for teachers and school personnel. Work with students and community members to establish codes of conduct, if national-level policies do not exist”. These recommendations are directed to all levels of education: national, institutional, local and individual.

Obstacles to implementation

For successful implementation of teacher codes of conduct, a number of impediments need to be examined and reconciled. A teacher interacts with a variety of constituent groups (see Role of the Teacher) which can be influenced by the teacher, and who also influence the teacher.

Leach (2008) outlined external factors which affect a school, these included poverty, lack of accountability, gender inequalities, acceptance of rigid norms of male and female behaviour, civil conflict, and discrimination against minority groups. When these factors are brought into the school, school culture is affected.

Schools are bounded by formal rules and informal practices that regulate behaviour. These ‘normalize’ unequal power relations through hierarchies of gender and age/authority (gender regimes). School cultures affirm and endorse heterosexual norms of masculine and feminine behaviour, for instance through the gendering of duties, interactions, and space. Contravening rules and accepted practices runs the risk of punishment or victimisation. Poor accountability and weak leadership allow violence to go unchecked. So it becomes part of school life, with males more likely to both invite and inflict violence. One type of violence feeds on another and is reinforced by home and society.

A teacher, as a member of a larger society, lives in two worlds responding to societal issues and school community and school culture issues. What occurs in the broader community has an impact in the school community. In *Children in school: a safe place?*, Rossetti (2001), as cited in *Are School Safe Havens for Children? Examining School-related Gender-based Violence* (2008), reports that, in Botswanian schools, “67 percent of girls reported sexual harassment by teachers; (...) 20 percent of girls reported being asked for sexual relations, half of whom complied for fear of reprisal on grades and performance records”. If sexual harassment by teachers toward students (including unsolicited touching, patting and pinching, sexual innuendoes and pressure for dates) is reported in such high percentage, one conclusion is that such abuse is the norm, i.e. it is part of the culture of the school. The Botswana Federation of Secondary School Teachers (BOFESETE) (2003) speaks against this:

There have been reports of teachers accused of unprofessional behaviour like failing to report for duty with no reason, reporting on duty drunk, having sexual relationships with their clients, and many other vices. BOFESETE strongly discourages teachers from such habits and will not support them in any way.

But there are no sanctions against teachers who are engaged in sexual relationships with students. Their teachers’ Code of Conduct does not comment on sexual harassment.

The Dunne, Leach, Chilisa, Maudeni, Tabulawa, Kutor, Forde, and Asamoah (2005) study based in Ghana and Botswana and cited in *Are School Safe Havens for Children? Examining School-related Gender-based Violence* (2008) reports that “despite the wide-scale use of corporal punishment and other forms of discipline, teachers did not usually report gender-related violence; they dismissed it as normal adolescent behaviour”. If gender-based violence is ignored by teachers, again the conclusion is that such abuse is the norm, i.e. it is part of school culture.

Such a prevalence of abuse also speaks to societal issues: 60 percent of Botswanian women have been victims of gender violence from 1996 to 2000. The failure of authorities to be responsible for the safety and protection of society's members sends a message that abusive behaviour is the accepted norm. Using a teacher code of ethics to change a societal problem is a challenge.

A further issue of teacher behaviour in applying a code of conduct to one's life deals with a teacher's understanding of what is right or wrong. The adage of 'don't date your students' (Van Nuland, 2006) has been used to explain the concept of 'power': Who has 'power' in a teacher-student relationship? and from where does 'power' come? Many teachers accept that society has accorded them 'power' in the school setting with moral authority which must be understood in conjunction with teacher behaviour. Teachers accepting all forms of societal behaviour do not always conform with an understanding of moral authority. For a teacher to act with moral authority requires that a teacher behave ethically and recognize the responsibility in shaping "the morality of future citizens" (Dresscher, 2008: 10). Unless teachers recognize and discharge these as obligations, implementing a code of conduct will not be possible.

Two types of ethical control, as cited by Dresscher (2008), have power over teacher behaviours. External control includes laws, codes, and regulations outlining acceptable and unacceptable behaviours, often with consequences attached, which may motivate a person to act in a particular way. The use of external controls implies that teachers require discipline to produce good behaviour. Internal control includes a person's self-regulation, 'doing the right thing' since it is the right thing to do. Teachers acting in this way is the ideal. The use of internal controls, the use of the terms that connote a self-regulatory process, implies that teachers are working for the good of their students. Many teacher codes use terms such as 'integrity', 'respect', 'responsibility', 'care', 'trust' and so on. These terms make the code more acceptable to teachers.

Cited by Dresscher (2008), Brennan and Pettit (2005) present three approaches to regulating behaviour of a particular group (in this case, civil servants): markets (i.e. what the market will bear, called the ‘invisible hand’); a regulation system (i.e. using laws to control behaviour, called the ‘iron hand’) and a process by which positive behaviour is encouraged (i.e. the ‘intangible hand’) “by the fact of being exposed to the bad opinion of others in the event of not keeping up to the mark and of being in a position to earn their good opinion in the event of meeting or surpassing the mark”. Teachers who want to be seen as being professional will generally choose ‘the intangible hand’.

Trade unions are often considered to present obstacles to implementing codes of conduct. The role of a teachers’ trade union is to advocate, in a pro-active way, for the rights of the teacher. Some trade unions covertly control teacher behaviour, by placing demands on teachers who report other teachers for unethical behaviour, thus preventing a negative teacher report from occurring. If the focus is solely on the teacher’s defence, no consideration is given for the alternative; that the teacher may have violated the code of conduct.

Ray (2006) argues that when an organization (in her study, an acute care psychiatric facility) does not support those who whistle blow when there is a violation of professional standards, there is a failure of organizational ethics. She contends that external whistle blowing should occur only when all internal steps have failed. Nurses are often members of trade unions and self-regulatory colleges and thus have allegiances to two separate bodies. A nurse’s role often is one of patient advocacy; nurses who support this role are more likely to speak up for their patients or whistle blow. Ahern and McDonald (2002) report on studies that show how taking an ethical stand in an environment unreceptive to independent decision-making is taxing and damaging to those involved; physical, emotional, and professional aspects of one’s life are affected.

The role of the trade union is often coupled with collective bargaining. Some teacher unions see collective bargaining as their main function and will not support the idea of implementing a code of conduct because they have no interest in it. This, however, may not be the sole reason. A review of many teacher union websites, to find a code of conduct, revealed that the unions often have more pressing functions. In some cases, they are organized by teachers who are working full time and have their teaching duties to consider. Some unions are concerned about financial solvency; the lack of funds threatens their existence. To lobby for a code of conduct and actively educate its members about a code of conduct requires time and financial resources.

Lack of appropriate learning materials to assist in understanding the code of conduct can hamper implementation. In-service materials are to be inviting and supportive of teacher activities and address what is the reality in teachers' lives. One example would be to create a video (where possible) as an instruction tool for teachers. This requires substantive resources.

Government involvement in developing codes of conduct is a double-edged sword. On the one hand, the support of the government is seen as necessary since it often has the infrastructure to disseminate the code to teachers. On the other, teachers may see that the code is being forced on them by the government as a 'top-down' directive, the development of which they were not included.

Time and discussion opportunities are essential for understanding a code of conduct. An openness to discuss the inappropriate behaviours of teachers needs to occur; it must be seen that discussions are essential to bring forward what is acceptable and unacceptable comporment.

Knowledge of a teachers' code of conduct is not available beyond the teachers. Parents and students are not aware that a code for teachers, and the sanctions on teacher misconduct, exist. The following activities could assist in the public awareness: distributing and discussing the code of conduct to all in the community; posting the code of conduct in each school and

classroom; publishing stories of teaching as they relate to the code; and, conducting awareness sessions (Van Nuland and Khandelwal, 2006).

Hattie (forthcoming) determines that procedural validity is a ‘critical issue’ in determining and specifying standards¹⁰ for any profession; it is critical in two ways: for subsequent operationalization of assessment procedure, and for legal defensibility (cited by Van Nuland and Khandelwal (2006)). Before standards can be considered valid, the following criteria must be met:

- the integrity and independence of the body responsible for developing the standards exists;
- the standards developing body is composed primarily of those who are already highly accomplished practitioners;
- the diversity of perspectives in the profession is represented;
- the process of defining the standards is developed on a sound scientific basis and that the process of developing the standards be formally documented; and
- a wide sampling of agreement is sought for the standards from the major professional groups regarding the appropriateness and level of standards.

Meeting these criteria will support the components of a code of conduct.

The greatest obstacle to implementing a code of conduct is the lack of understanding of the jurisdictional context. Without knowing who is ‘the audience’ regarding the code of conduct, it will be meaningless.

Teacher education may create an impediment to implementing a code of conduct if teacher candidates are not informed of their jurisdictional code of conduct. Each year new teacher candidates learn pedagogy, teaching strategies and assessment practices. Teaching about and discussing how to

10. The term ‘standards’ in this context is also applicable to code of conduct or code of ethics.

apply a code of conduct before actual practice would assist these new teachers in understanding the code.

Creating awareness of a code of conduct both inside and outside of the teaching community would support teaching and more importantly, students, greatly.

Chapter 11

Application and enforcement of the code

The question of monitoring and reporting on codes of conduct requires mechanisms in place to enforce the code and any breaches that occur.

The McDonald-Wood, Jr. (1993: 251) study's respondents believe that a professional association create and disseminate a code of ethics; 57% felt that the code should have a regulatory function. The enforcement of the code should be undertaken by the organization for which one works. Caution must be exercised in accepting the results of this study since only a small number of individuals responded to the question. However, it must be acknowledged that if there is no regulatory function, a code of ethics can be ignored by those not wanting it. On the other hand, implementing a code has difficulties. Many professions have experienced difficulties in executing a code (McDonald and Wood, Jr. 1993) dealing with responsibility for the code, penalties, violations, sanctions, and communication to the membership.

The Victorian Institute of Teaching, in its code, sets out the principles that describe the personal and professional conduct and professional competence required of a teacher.

Its purpose is to: promote adherence to the values teachers see as underpinning their profession, provide a set of principles which will guide teachers in their everyday conduct, and assist them to solve ethical dilemmas, affirm the public accountability to the teaching profession, [and] promote public confidence in the teaching profession.

The VIT Code acknowledges that it cannot deal with every situation teachers may encounter, thus, teachers themselves must be aware of policies and procedures established by the teacher's organization of employment and be aware of issues that are addressed in other legislation. The teacher must know more than the VIT Code of Ethics and the Code of Conduct; the onus

is on the teacher to understand the implications of other policies, procedures, acts, and regulations that will affect his/her working life.

The VIT further states that “the Code of Conduct is not a disciplinary tool”. Without this as a function of the code, why is a code needed? The *Education and Training Reform Act 2006* creating the Victorian Institute of Teaching obliges the Institute to establish “a Code of Conduct for the teaching profession but does not provide any mechanism to enforce the Code. Without specific enforcement provisions, a breach of the Code of Conduct *per se* is not serious misconduct, serious incompetence or lack of fitness to teach”. The Code of Conduct prescribes certain principles for professional and personal conduct and for professional competence, but breaching one principle may not necessarily be considered ‘serious misconduct’.

For example, a teacher who does not treat a colleague with respect is in contravention of the Code but this action may not necessarily be considered ‘serious misconduct’. In another situation, teacher/student sexual relations, which also defies the prescribed conduct under the Code of Conduct, if breached, would be considered ‘serious misconduct’. Here, if the allegation is proven true, the teacher’s registration would be cancelled since the teacher’s behaviour is considered to be ‘serious misconduct’ and ‘lack of fitness to teach’ but not because s/he has violated the Code of Conduct. The Institute differentiates between disciplinary proceedings and behaviours outlined in the Code. Disciplinary proceedings against teachers illustrate the conduct which teachers should not undertake and ‘the minimum level of competence a teacher must achieve’. The codified behaviours exemplify competent practice and activities of teachers that will assist educators ‘to make better decisions about their conduct and practice’.

The difficulty with the Code of Conduct and Code of Ethics is the disconnect that exists between the codes and the disciplinary action that the VIT may take. The VIT responds when there are serious matters of misconduct and incompetence.

Some organizations (for instance, Victorian Institute of Teaching) responsible for enforcing the codes recognize that the employer cooperates in or works with the implementation and application of the code since the employer mainly deals with the management of the teachers.

The Ministry of Education in Hong Kong supports the use of the code:

It is essential to convey clearly to all staff the expectations of the school regarding conduct and performance. The Code for the Education Profession of Hong Kong provides some principles for setting performance standards for teachers. It stipulates norms of behaviour, moral standards and social obligations widely accepted by the teaching profession.

The Ministry of Education does not indicate whose responsibility the conveyance of the expectations should be. Statements similar to the Hong Kong Ministry of Education were found from governments supporting their country's codes of conduct. The reinforcement from different stakeholders acknowledges the importance of the code, which heightens its status among teachers. This support assists those individuals responsible for implementing a code to ensure its understanding and application.

All elementary, secondary and tertiary teachers are required to register in order to teach in Nigeria. As an agency of the Nigerian government, the Teachers Registration Council of Nigeria (TRCN) is responsible for 'registration and licensing of qualified teachers' and equally has the responsibility to enforce 'ethical conduct among teachers and actually prosecuting erring ones'. Among other duties, the Department of Professional Operations, under the Teacher Registration Council of Nigeria Act 31 of 1993, s. 9, enforces professional conduct related to the Teachers Code of Conduct, coordinates the Teachers Investigation Panel (TIP) established in all states and the Teachers Disciplinary Committee (TDC), a tribunal located at the headquarters of the TRCN, and prosecutes unqualified teachers in the Nigerian courts (Annual Report, 2006: 2). The TIP investigates and verifies alleged

breaches ‘of professional ethics and forward[s] cases to TDC for trial and punishment’. To its membership in the May 2007 Professional Diary, the TRCN reported: “More importantly, TRCN’s Teachers’ Code of Conduct, Teachers Investigation Panel, and Teachers Tribunal are all instruments that have formed the lasting framework for dealing professionally with the problem [examination malpractice]”. TRCN does reprimand and sanction its teachers when found in contravention of the Code of Conduct.

In the Bahamas, from 2005/2008, no teacher has been reported to the Bahamas Union of Teachers for conduct contrary to the code; it would be “very rare” that someone would be “brought forward” (McPhee, 2008).

In South Darfur, the code¹¹ outlined the “need for teachers to maintain self control and moral ethical behaviour; to participate in creating an inclusive environment, and to maintain a safe environment free from harassment, abuse, violence and discrimination” (Gifoon, 2008 as cited by INEE 2008).

Teachers were given their job description and the code of conduct in Afghanistan. These documents were discussed with the teachers to help explain their position (Stannard, 2008 as cited by INEE 2008).

The South African Council for Educators (SACE: 2006) has established a disciplinary process to support the Code of Ethics and will act on breaches of the Code. Every complaint is investigated either by telephone, by written correspondence, or by a school-based investigation. Of the 100 cases received by the Legal Affairs and Ethics Division between January 1 and June 30, 2006, 75 were found to be in the jurisdiction of SACE; five cases were closed and 70 were pending. The investigations from January 2005 to June 2006, resulted in six teachers (five for sexual harassment and one for fraud) removed from the teachers’ register (i.e. no longer certified to teach), one teacher was fined and directed to counselling, and one teacher found not guilty. “The disciplinary committee must ensure that all alleged breaches of the code are

11. At the time of writing, no further information on application and enforcement was available.

investigated”¹², and where hearings are held, that these are fair and comply with the procedures set forth. Teachers are judged by a panel of SACE peers who, supported by legal counsel, have been trained on issues of law, disciplinary procedures and ‘on matters of sexual harassment’ since minors may be involved. The need for sensitivity to ‘traumatized learners’ is required in the judging panel. The disciplinary process uses mediation or conciliation to resolve issues and many of complaints have been successfully addressed. Usually these processes are used when issues of victimization and intimidation has occurred. SACE also provides legal advice when requested by members, and provide information about ethical issues affecting the members.

In some jurisdictions, principals use the Codes of Conduct as the basis for professional development; the codes have a role in workplace relationship management, performance management, discipline, selection and promotion.

Reporting mechanisms

Several jurisdictions have processes in place for reporting teachers who have breached the code of conduct or code of ethics.

According to the South African Council for Educators Disciplinary Procedures (2006) outlined, when any person believes that an educator has breached the Code of Ethics, a complaint may be filed with the Council. The Council would prefer that the complaint is in writing and it “clearly discloses the alleged breach of conduct”. In addition, a disciplinary committee may investigate an alleged complaint against the code even if a formal complaint has not been presented. This largesse allows the SACE to examine teacher misconduct that may not have been presented through regular channels (i.e. as a result of an individual’s allegation(s)). A legislative mandate requires that where a sanction is greater than a reprimand or caution from the provincial department of education, SACE must be informed. SACE then conducts its own investigation depending on the circumstances of the teacher’s

12. See below for reporting mechanisms

dismissal, caution or fine, or resignation while an investigation is underway.

The Ontario College of Teachers permits the Registrar, independent of an alleged complaint from outside the College, to submit a member teacher's name to the Investigation Unit to review the member's behaviour. The investigation is then conducted with reference to Regulation 437/97 *Professional Misconduct Regulation* or contrary to the *Ethical Standards for the Teaching Profession*, the *Standards of Practice for the Teaching Profession*, and/or the legislative requirements that apply to teachers.

Similarly, the Teacher Registration Council of Nigeria, specifically, the Department of Professional Operations, may initiate action to cancel the registration of a teacher where misinformation or fraud on the part of the applicant result in registration, where a teacher is convicted of gross misconduct, or a teacher is convicted of a criminal offence in a law court. Thus the Council is not dependant on the public to report teachers whose behaviour is inappropriate and contravenes the requirements of the Council. In addition, it is mandatory for employers to report "erring teachers (...) suspected of having breached professional codes of conduct whose performance fall below expectation to TRCN so that teachers could face the Teachers Tribunal (...). The applicable cases include examination malpractice, drug abuse, cultism, sexual harassment, professional incompetence, etc." (Annual Report, 2006: 60).

Issues to be addressed concerning the application and enforcement of the code

In applying a code of conduct, the distinction between discipline, which is a management function, and professional conduct must be identified and clarified. A conflicting role exists when an employer must enforce the code of conduct and then disciplines or judges against that code (King, 2008:106). Furthermore, the relationship between the role of the regulatory body, in many

cases, the teachers' body or regulatory body, the employer, the policy maker and the stakeholders (King, 2008: 14) need to be clarified.

A code of conduct is not effective unless it has sanctions, therefore policies for penalties, including deregistration, must be developed.

A code of conduct, when agreed upon, should be implemented and administered by a teaching council that has the authority to discipline (Mehrotra, 2006). Criteria for professional conduct matters, subject to investigation by the regulator or teaching council (King, 2008), requires development. Where the sanction is not deregistration, who carries out investigations and determine outcomes? Undertaking of inquiries where conduct has been identified without a complaint (similar to Ontario's College of Teacher) calls for decisions.

Connelly and Light (1991) conclude that if a code is difficult to enforce, the fault does not lie with the code but rather with "a lack of resolve on the part of the profession for spelling out the consequences for unethical conduct". Kelly (1985), as cited by Connelly and Light, reported that in a 1982 study "75 percent of the individual membership organizations had codes, with only 50 percent backed up by an enforcement mechanism". For enforcement of a code to be effective, what defines unethical practice is required with the provision of review and discipline based on the principles of due process and natural justice.

To guide the application of codes of conduct, the INEE *Guidance Notes on Teacher Compensation* (2008: 18) asks: What mechanisms are in place to enforce the code of conduct and to deal with any breaches in the code of conduct? How can local education authorities, teacher associations and unions be strengthened in developing, monitoring and reporting on codes of conduct to help enforce quality and standards? Clear directions and sanctions are required to ensure that the code can be applied fairly. The last question recognizes that other education organizations have a role in improving educational quality.

Chapman (2002) has identified “quality of top leadership”, “creation or modification of organizational structures” with “a clear, workable accountability system” as issues that support application and enforcement of a code of conduct.

Chapter 12

Response by the stakeholders to a code of conduct

Educators' response to codes of conduct applicable to their jurisdiction is mixed while those whose children are in the educators' schools hold hope that the codes will benefit teachers and schools alike (ABC News). Media headlines, 'New code of conduct: teachers up in arms' (Express News Service); 'Teachers irked over new code' (Chapalgaonkar, 2008), and 'Teachers oppose code of conduct' (BBC News) reflect response from some teachers. Teachers cite concerns about the code: control over personal lives (for instance, choice of marriage partner, restrictions on investment options); 'violation of basic human rights' (Chapalgaonkar, 2008); inability to teach properly; limitations on professional lives; potential abuse of the code; and, disbelief that a code will enhance the profession (BBC News). Some support comes from teachers and head teachers' unions (BBC News).

McDonald and Wood, Jr. (1993) in their study of ethical issues examine attitudes of adult educators concerning a code of ethics and provide reasons supporting a code: to provide a frame of reference; to provide assurance to clients; to create higher quality educators; to hold (...) educators accountable; and, to enhance credibility. One proponent of a code of ethics stated: "Any profession that works in an area that has an effect on self-image, self-esteem, and mental health of its clients should have a code of ethics – we have such an effect in profound ways". The same study cited reasons from practitioners for not having a code of ethics: 'personal values were more important than a code of ethics'; 'rules were already in place', and 'a code of ethics does not ensure ethical behaviour'.

The FJ and JM King and Associates review of VIT found limited response to the Code of Conduct and Code of Ethics. While some teachers were supportive of the Code of Ethics, some had a ‘low level of familiarity’ and others had a ‘high degree of scepticism’.

The adoption of the Code of Ethics not only benefits the profession but also serves to delineate the responsibilities and boundaries of teachers in a way that should reduce students’ and parents’ grievances, or at least make the resolution of such grievances a speedier process (FJ and JM King and Associates, 2008: 82)

Some stakeholders believe that “there is an opportunity for deeper connection with the codes by teachers, and greater use of the codes as the basis for school-based policies and processes” (King and Associates, 2008: 82). Inconsistencies between the Code of Conduct, Standards of Professional Practice, and disciplinary procedures developed by VIT and the Department of Education and Early Childhood Development exist. King and Associates recommended that “the VIT and employers work together to advocate and promote the codes of ethics and conduct and employers consider additional ways to enhance the use of the codes as part of school policies and practices” (King and Associates, 2008: 83). The lack of comments from the stakeholders caused concern in the review of the Code of Conduct.

In South Africa, educators believe that when hearings are held, that these are ‘punitive’ in nature. When the South African Council for Educators is involved, the case generally deals with an educator charged in contravening the Code of Ethics. Tensions rise which can lead to a breakdown of cordial relationships among the teachers.

Campbell (2008) citing Beckner, (2004); Bradley, (1998); Campbell, (2000, 2001); Freeman, (1998); Sergiovanni, (1992); Sockett, (1990); and Strike and Ternasky, (1993) found that the “desirability and potential usefulness of ethical codes varies from being generally supportive in principle to highly critical in practice”. The codes are not “the defining measure on the teacher’s ethical role”. The activities, realities, and responsibilities involved

in teaching “far exceed what may be inscribed in any code, and to restrict one’s view of ethics in teaching to the concept of codes, laws, and standards is severely limiting”.

Ward (2007) concludes from her work on code of ethics development in an education union that there is a focus on ethics as central to teachers and teaching but “little consideration [is] given to the ethical expectations of those involved in the education process who are not qualified teachers”. Active members in an education union regard their organization as both a union and a professional association and realize that a code is needed. “Others, outside of the union, and from a different political paradigm, ridicule the idea.” Ward presupposed that a union’s code of ethics would mirror the union’s membership and the values it holds. Her work is in its research stage.

Impact of codes

There is a natural assumption that a code of conduct has a positive impact on the behaviour of the individuals in professions. An individual’s behaviour is significantly affected by the culture in which one works (Raiborn and Payne, 1990)

Ethics education was found to have an impact on the accounting students as they solved their problems and dilemmas (Dellaportas, 2006). Similar results occurred with teacher education candidates who used Ontario’s *Ethical Standards for the Teaching Professions* as the basis for discussion of four case studies that presented progressively more complex situations or dilemmas in diverse settings. The use of the ethical standards permitted teacher candidates “to juxtapose the knowledge learned from their studies with their preconceptions of teaching and learning” (Cherubini, 2008: 10). Candidates’ responses from the first to the fourth case were markedly different. The candidates realized the ethical standards and their own teaching practices were inextricably linked and the ethical statements profoundly “influence their social and emotional self-identities as prospective teachers”. The teacher

candidates found that ‘walking in the teacher’s shoes’ was more challenging than anticipated.

In Victoria, Australia, it is more likely that the VIT standards of teaching practice have an impact since teachers are required to complete 100 hours of professional development over five years in order to renew their registration. The teaching standards are periodically reviewed and revised to ensure relevancy and to ensure that “professional development [is] directed at specific priorities and skills” (King and Associates, 2008: 74).

Comments from the stakeholders regarding the code of conduct and code of ethics in the King and Associates study (2008) were limited. This lack of response is not surprising since the code of conduct was in a draft stage at the time of the study, however, the code of ethics had been in existence since 2005.

The few teachers who mentioned the Code of Ethics were supportive. Feedback from other stakeholders suggested mixed views about the codes:

- “the status of the Code of Ethics and Code of Conduct among teachers will depend upon their level of confidence in VIT as an institution (...).
- the process of developing and launching VIT Codes has provided clarity for teachers in terms of the requirements of the profession. Interestingly, this stakeholder felt that schools see the codes as support documents for many school-based codes” (King and Associates, 2008: p. 82/83).

The King and Associates study recommends “that VIT and employers work together to advocate and promote the codes of ethics and conduct and employers to consider additional ways to enhance the use of the codes as part of school policies and practices”.

Frankel (1989) proposes initiatives to ensure that a code of ethics becomes more useful to practitioners or others, thus having a greater impact. He believes that a code is only one part applied to encourage ethical conduct. The code needs to be visible and relevant to the practitioner if it is to have an

impact in practice. Professional decisions (in case of code violations made by ethics committees or case study for educational objectives) made based on the code should be available for discussion within the profession. Practitioners and the public should be encouraged to report colleagues/practitioners violating the code and that the process be made easier. A telephone hotline or easy website access allows for easier reporting. The disciplinary procedure requires both punishment and rehabilitation of members where necessary. In addition, Frankel recommends that those professionals unfairly harried by employers petition the profession for both support and defence. When professionals know that statutory protection exists for good faith reporting of colleagues, there will be a greater impact of the code.

In the review of the literature on teacher codes of conduct that was available at the time of this research, there is no objective evidence about the extent to which codes of conduct have an impact on an individual teacher's behaviour.

Chapter 13

Activities undertaken to promote the code of conduct

To promote the code and provide information about the code, organizations undertook the following activities:

- distribution of newsletters approximately every four months to teachers, school council presidents, school board chairpersons, faculties and schools of education, principals and professional associations, teachers unions, and interstate and international equivalent bodies (King and Associates, 2008: 86); the newsletter must be relevant, of value and useful to teachers;
- a solid communication plan and distribution of information: “(1) if you want to take it down to the teacher level, brochures should contain just the basic elements; (2) realise that not all teachers are highly educated people so it must be kept simple; (3) compose it in the language of the teacher” (Dresscher, 2008: 33); understand the cultural differences;
- an up-to-date public website;
- a teachers’ hotline to respond to teachers’ concerns and issues;
- a principals’ hotline responding to teachers’ concerns and issues;
- presentations at university faculties and schools of education outlining the Code;
- e-mail box to receive and respond to requests;
- seminars for teachers, representatives from education unions, and teacher and professional associations, teacher educators, teacher employers, parents, and school council groups.

Any organization that may be developed to support teacher codes of conduct must also be an advocate of teachers and raise the profile of the teaching profession effectively or satisfactorily (King and Associates,

2008: 88); an advocacy role, however, may be in conflict with the function of such an organization.

Development of resources that support teachers' understanding of the code is required. The case study model which "identifies ways of thinking and acting that will have a high likelihood of enhancing their members' capacity to address the characteristic problems in their field" (Condliffe, 2004) immerses teachers in the activity of teaching. Condliffe further contends that "ethics must be inherent in the characteristic ways of thinking and acting that are distinctive to educators".

In-depth discussion opportunities assist in explanation and clarification of the code, for instance: development of a resource kit that outlines the elements of the code of ethics for self-study, small and large group discussion, dialogue, and activities; printing and distribution of posters on the updated version of the code of ethics, these are sent to schools via a 'teacher' supplement which is enclosed in copies of the *Mail and Guardian* (South Africa); developmental workshops on a national basis; ad hoc workshops held where the need for workshops was determined on a case-by-case basis; mentoring program workshops using the standards to help teachers recognize best classroom practices (Squire and Browne, 2000: 28).

The thorough communications plan is essential to ensure that teachers and all stakeholders become aware of the code, its implications, and sanctions. Training for facilitators and presenters for workshops must be complete since the messages presented will guide teachers in their activities.

Conclusion

A code of conduct exists to support teachers in their activities in classes working with children and supports children as they work with their teachers. A code affects the school community-students, parents, colleagues both teaching and non-teaching, and most importantly, the teacher. The intent of the code is to guide teacher behaviour reflecting the responsibilities of teachers to the stakeholders. The Ferrell and Skinner study (1988) of bureaucratic structure and ethical behaviour suggest that “the existence and enforcement of codes of ethics are associated with higher levels of ethical behaviour”. In their study of accounting students, Sirgy, Siegle, and Johar (2005) conclude that “knowledge of ethical obligations and conduct requirements will likely promote (...) ethical behaviour”.

Chapman (1994), after studying teacher absenteeism and attrition concludes that there are no magic solutions to the problems he identified. As with his area of research, some similar conclusions so too exist: there is no magic solution to reduce teachers’ negative behaviours. While teacher codes of conduct may be one element to decrease teacher misbehaviour, the answer to eliminating teacher misconduct requires “an understanding of the options that are reasonable within the particular context of the country” (Chapman, 1994: 43). Four overarching recommendations address these issues: better incentives for rural teachers, improved conditions of service and salaries, attractive career structures and advancement including upgrading opportunities, and increased teacher accountability (Bennell and Akyeampong, 2007: 57-59). Similar economic problems were described by Dresscher (2008: 36-37) which make the implementation and application of a code of conduct very difficult.

While Barrett (2005) acknowledges the difficulties in accountability issues in Tanzania, she recognizes that the moral responsibility and ethical code of teachers “intrinsic to their social identity (...) needs to be supported

Conclusion

and reinforced by a managerial presence within the education system and outside of school”. Many teachers are resilient and committed to their work with children and require the support of “the local community, education administration and their own professional ethics” to achieve success.

The ‘good teacher’ knows and applies a variety of teaching strategies in presenting the content, treats students with respect, reflects on the class to improve teaching, and completes the myriad of activities associated with teaching and schools. This description of a teacher speaks to the technical end of teaching but not the core of teaching. Integrity is at the core of being a teacher: at the end of the day, integrity (as one aspect of ethics and conduct) is what remains.

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