

## Planning School Ethics Training

### Part II: Model Code of Ethics for Educators Mastering the New PDE Chapter 49 PE Competencies

Paul K. Fox, Presenter  
PMEA Council for Teacher Training,  
Recruitment, and Retention  
December 10, 2024, at 9:25 a.m.  
SAS Institute @ Hershey Lodge  
[paulkfox.usc@gmail.com](mailto:paulkfox.usc@gmail.com)  
<https://paulfox.blog/>



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## About “the Fox”

• Bachelor of Fine Arts in Music (Viola) & Master of Fine Arts in Music Education from Carnegie-Mellon University



Paul K. Fox

### Currently:

- Five decades involvement in the field of music education
- State Coordinator of PMEA Retired Members (9+ years)
- Member (Past State Chair) of the PMEA Council for Teacher Training, Recruitment, and Retention (8+ years)
- Trainer/Instructor for the Thomas W. Bailey PDE-approved Act 45 PIL and Act 48 PD classes on PA educator ethics
- Presenter, author, blogger, and publisher of more than a dozen articles and 23 workshops/webinars on educator ethics, most material archived at <https://paulfox.blog/category/ethics/>

### Retired:

- Performing Arts Curriculum Leader (7 years) & music teacher for the Upper St. Clair Schools (33 years) & Edgewood School District (2 years)
- Director/Producer of 29 Fall Plays, 30 Spring Musicals, & 5 Holiday Musicals
- School (USCSD) publications writer, editor, & photographer (25+ years)
- Secretary/Treasurer for PMEA District One (20 years)



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## Other Voices on Ethics - “The WHO”



PDE Approved Act 45/PIL & Act 48 Classes  
Court Case Blogs, and Other Resources



<https://tidesplayer.com/index.php?203332/>



Troy Hutchings, Senior Policy Advisor  
<https://www.mde.state.mi.us/>

<https://www.pa.gov/en/agencies/education/resources/information-for-school-administrators/teachers-preparation-programs.html>



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## Starting out with the “WHY”

- **Why** are we so concerned about professional development for PA educators on ETHICS?
- **How** should we practice ETHICS and train our staff?
- **What** is important in our “regs” and “codes” to understand, review, and reinforce intentionally from time to time?



<https://simonsinek.com/>



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## Starting out with the “WHY”

**Quick...** Can YOU identify the *exact titles* or *acronyms* of:

- The recently adopted Code of Ethics to which educators can turn for assistance in professional decision-making?
- The PA agency which has implemented these standards?



MCEE

PSPC



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## What Are PDE’s “PE” Requirements?

### Professional Ethics (PE) Program Framework Guidelines

Chapter 49 requires instruction in professional ethics to be integrated in educator preparation, induction, and continuing professional development programs as follows.

- **Continuing professional development** programs must integrate the professional ethics competencies no later than the **2023-24 academic year**.
- Educator preparation and **induction programs** must integrate the professional ethics competencies no later than the **2024-25 academic year**.



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**COMPETENCIES: PROFESSIONAL ETHICS (PE)**

Professional educators:	
PE.1	Demonstrate their understanding of the PA Code of Professional Practice and Conduct for Educators and the PA Educator Discipline Act.
PE.2	Describe the function of the PA Professional Standards and Practices Commission and its role in professional disciplinary actions for educators.
PE.3	Differentiate between codes of conduct and codes of ethics and explain how each informs professional practice and decision making.
PE.4	Demonstrate their understanding of their responsibility to the profession as described in Principle 1 of the Model Code of Ethics for Educators (MCEE).
PE.5	Demonstrate their understanding of their responsibility for professional competence as described in Principle 2 of the Model Code of Ethics for Educators (MCEE).
PE.6	Demonstrate their understanding of their responsibility to students as described in Principle 3 of the Model Code of Ethics for Educators (MCEE).
PE.7	Demonstrate their understanding of their responsibility to the school community as described in Principle 4 of the Model Code of Ethics for Educators (MCEE).
PE.8	Demonstrate their understanding of the expectation for responsible and ethical use of technology as described in Principle 5 of the Model Code of Ethics for Educators (MCEE).

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### Definitions –“Ethical Equilibrium”



Foundations of what’s “right or wrong”

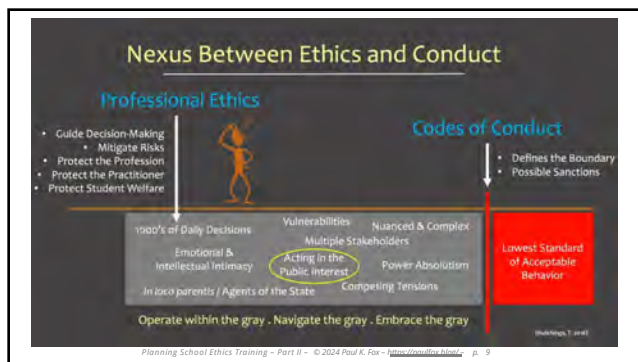
- Personal **Morality**: “Personal values and beliefs derived from one’s life experiences... subjective and may or may not align with community mores.”
- Regulations of **Law**: “Policies, statutes, and judicial activity that articulate conduct absolutes.”
- Professional **Ethics**: “Professional ethical standards that assist practitioners within situation and systemic contexts in choosing the best course-of-action.”
- Professional **Dispositions**: “Agreed upon professional attitudes, values and beliefs to be held by educational practitioners.”

“Beyond the Obvious” <https://slideplayer.com/slide/12243050/>  
 “Ethics in Education” <https://vimeo.com/126979216>

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### A Code of Conduct...

- Is written and enforced by a **LICENSING AGENCY**
- Has **COMMON VALUES** required of members in the profession/group
- Spells out **REQUIRED & FORBIDDEN CONDUCT**
- Sets-up a **COMPLAINT PROCESS** with a TRIER OF FACT
- Violations of which may impose **SANCTIONS** upon the member’s license



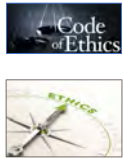
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### A Code of Ethics Is...

- Not** defined in exact terms of **law or policies**
- Not** a focus of family **morals or values** on which you were raised
- Not** about issues of right/wrong or **black/white**, but shades of **grey**
- More **open-ended**: a selection from a set of possible choices
- Reflects on decision-making depended on the **circumstances of the situation**





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### Which definition is integrity? Which is equity?




- “Existing or valid in fairness as distinguished from law” 

- “firm adherence to code of especially moral or artistic values; incorruptibility”


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## Model Code of Ethics for Educators



- National Association of State Directors of Teacher Education and Certification




**NASDTEC**  
has served as a professional membership organization representing state departments of education and professional standards boards/commissions that are responsible for the preparation, licensure, and discipline of K-12 educational personnel.  
Jurisdiction members include all 50 states, the District of Columbia, the Department of Defense Education Activity, Guam, and the Canadian province of Ontario.  
Associate members include constituent organizations with an interest in the preparation, continuing development, employment, and certification of educational personnel.

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## Model Code of Ethics for Educators



- National Association of State Directors of Teacher Education and Certification
- Principles
  - Responsibility to the Profession
  - Responsibility for Professional Competence
  - Responsibility to Students
  - Responsibility to the School Community
  - Responsible and Ethical Use of Technology



First draft unveiled in 2015  
Updated in 2021

5 Principles  
18 Sections  
86 Standards



<https://www.nasdtc.org/en/agencies/nasdtc/resources/statutes-regulations-policies-and-forms.html>


[https://www.nasdtc.org/2022/MCEE\\_Doc](https://www.nasdtc.org/2022/MCEE_Doc)

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## Model Code of Ethics for Educators




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PA Board of Education endorsed MCEE in January 2017; it was fully adopted in 2021.



Development Partners

- American Association of Colleges of Teacher Education
- American Federation of Teachers
- Association of Teacher Educators
- Council for Accreditation of Educator Preparation
- Council of Chief State School Officers
- National Association of Elementary School Principals
- National Association of Secondary School Principals
- National Board of Professional Teaching Standards
- National Education Association
- National Network of State Teachers of the Year



<https://www.nasdtc.org/en/agencies/nasdtc/resources/statutes-regulations-policies-and-forms.html>


[https://www.nasdtc.org/2022/MCEE\\_Doc](https://www.nasdtc.org/2022/MCEE_Doc)

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## MCEE Free Staff Training Videos



- Discussion Guide (PDF file):  
<https://www.nasdtc.org/resources/trainer/mcee-discussion-guide/mcee-video-discussion-guide.pdf>
- Segment 1: Exploring Professional Risks  
[https://www.nasdtc.org/mcee/MCEE\\_Video\\_1](https://www.nasdtc.org/mcee/MCEE_Video_1)
- Segment 2: Exploring Professional Ethics  
[https://www.nasdtc.org/mcee/MCEE\\_Video\\_2](https://www.nasdtc.org/mcee/MCEE_Video_2)
- Segment 3: Exploring the MCEE  
[https://www.nasdtc.org/mcee/MCEE\\_Video\\_3](https://www.nasdtc.org/mcee/MCEE_Video_3)
- Segment 4: Exploring Applications  
[https://www.nasdtc.org/mcee/MCEE\\_Video\\_4](https://www.nasdtc.org/mcee/MCEE_Video_4)
- Segment 5: Exploring Solutions  
[https://www.nasdtc.org/mcee/MCEE\\_Video\\_5](https://www.nasdtc.org/mcee/MCEE_Video_5)

<https://www.nasdtc.org/custom-form.asp?id=61&B9272-E271-417D-A43C-399280818FD0>

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## (Ideal) Steps to Analyzing Case Studies

### Mock Practice in Professional Ethical Decision-Making

- Establish “safe” learning networks (informal?) with fellow educators.
- Share a(n) incident or “hypothetical” scenario.
- Discuss the conflicts & consequences (use the **CSDE TEAM** questions?)
- Consider divergent opinions with an open mind.
- In formal settings (PLCs or department/faculty meetings), summarize the responses from the members of your group.




Although fictional, most of the fact scenarios are based on actual past adjudications of the PA Professional Standards and Practices Commission.

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## One Suggested “HOW” (from our PIL course)

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### Suggested Components of Ethics PLC

#### Readings

Local Education Agency (LEA) rules and/or policy  
LEA Solicitor for advice\*  
Model Code of Ethics for Educators  
PA Code of Conduct  
Educator Discipline Act  
Commission Website  
Resources

#### Discussion


Hypothetical situations – no names of educators, students, CTC staff  
Role of Facilitator: you decide  
Purpose is for group members to listen & give their opinion on the ethical issue(s) raised:

- Which document appears to have language applying to this type of issue; and
- What action by LEA or state education agency may occur?


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### Models for Ethical Scenario Analysis


• Code of Conduct – *Degree of Misconduct*  
*(Covered in Part I on December 9, 2024)*



Mock Jury



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### Mock Jury – Code of Conduct Scenarios

**1. RED** = “illegal” which may add criminal and civil penalties, fines, jail time, etc.


**2. ORANGE** = “unethical” which will result in significant discipline action, suspension or revocation of certificate, and/or loss of job

**3. GOLD** = “immoral” – no guarantee of major consequences except may result in lowering of year-end evaluation, earning a “warning” or “write-up,” or a job re-assignment

**4. PURPLE** = “unprofessional” – unlikely to result in major consequences except damage to one’s professional reputation

**5. BLUE** = inappropriate, unwise, “bad for appearances” – no consequences

**6. GREEN** = not a misconduct or inappropriate




Degrees of Misconduct


1  
2  
3  
4

Unprofessional

↑ Consequences




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### Models for Ethical Scenario Analysis


• Code of Conduct – *Degree of Misconduct*  
• Code of Ethics – *Voices in My Head*




It’s time for a...  
Scavenger Hunt!




Model Code of Ethics for Educators



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“I didn’t know it was wrong...” I.A. 7.

#### PRINCIPLE I RESPONSIBILITY TO THE PROFESSION

The professional educator knows that trust in the profession depends upon a level of professional responsibility that may be higher than the minimal standard of policy and law. This responsibility entails holding oneself and other educators to the same ethical standards.

**A. The professional educator demonstrates responsibility to oneself and the profession by:**


- Holding oneself responsible to the State Code of Ethics for Educators (SCECE) and other recognized professional ethics standards;
- Knowing and upholding the procedures, policies and laws relevant to professional practice regardless of personal views;
- Monitoring and maintaining sound mental, physical and emotional health necessary to perform duties and services of any professional assignment and taking appropriate measures when personal or health-related issues may interfere with work-related duties;
- Refraining from professional or personal activity that may lead to:
  - Reducing one’s effectiveness within the school community;
  - Referring from using one’s position for personal gain and creating the appearance of impropriety;
  - Taking responsibility and credit only for work actually performed by oneself; and
  - Recognizing a lack of knowledge or understanding of the MCEE is not, in itself, a grounds of professional conduct.

**B. The professional educator fulfills the obligation to address and attempt to resolve ethical issues by:**

- Identifying and taking reasonable steps to resolve conflicts between the MCEE and the impact or explicit demands of a parent or organization;
- Minimizing liability to the MCEE by taking proactive steps when having reason to believe that another educator may be approaching or involved in an ethically compromising situation;
- Refraining from discouraging or retaliating against a person in the course of having made an ethics complaint;
- Refraining from filing or encouraging frivolous ethics complaints solely to harm or retaliate; and
- Cooperating fully and honestly during investigations and proceedings.


**C. The professional educator promotes and advances the profession within and beyond the school community by:**

- Engaging in respectful discourse regarding issues that impact the profession;
- Influencing and supporting students and others that positively impact learning and learning, educational leadership and student services;
- Staying current with ethics guidelines and decisions from professional organizations and other relevant sources;
- Engaging with the greater educational community through professional organizations and associations; and
- Advocating for adequate resources and facilities to ensure equitable opportunities for all members within the school community.




“It wasn’t against the law...” I.A. 4.

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“I’m not a rat...” I.B. 2.

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**“What’s in it for me?” I. C. 1-5.**

**PRINCIPLE I**  
**RESPONSIBILITY TO THE PROFESSION**

The professional educator knows that trust in the profession depends upon a level of professional responsibility that may be higher than the minimal standard of policy and law. This responsibility enables trusting oneself and other educators to the same mutual standards.

**A. The professional educator demonstrates responsibility to oneself and the profession by:**

1. Holding oneself responsible to ethical Code of Ethics for Educators (MCEE) and other recognized professional ethics standards.
2. Knowing and utilizing the procedures, policies and laws relevant to professional practice regardless of personal beliefs.
3. Monitoring and maintaining sound mental, physical and emotional health necessary to perform duties and services of any professional engagement and taking appropriate measures when personal or health-related issues may interfere with work-related duties.
4. Refraining from professional or personal activity that may limit (a) reducing one’s effectiveness within the school community.
5. Refraining from using one’s position for personal gain and seeking the approval of employers.
6. Taking responsibility and credit only for work actually performed or approved, and acknowledging the work and contributions made by others, and
7. Recognizing a lack of knowledge or understanding of the MCEE is not an excuse or a defense of unprofessional conduct.

**B. The professional educator fulfills the obligation to address and attempt to resolve ethical issues by:**

1. Identifying and taking reasonable steps to resolve conflicts between the MCEE and the impact or explicit demands of a person or organization.
2. Acknowledging liability to the MCEE by taking proactive steps when necessary to follow that another educator may be approaching or involved in an ethically compromising situation.
3. Refraining from discussing or retaliating against a person on the basis of having made an ethics complaint.
4. Refraining from filing or encouraging frivolous ethics complaints solely to harm or retaliate, and
5. Cooperating fully and honestly during investigations and proceedings.

**C. The professional educator promotes and advances the profession within and beyond the school community by:**

- ➔ Engaging in a variety of activities regarding issues that impact the profession.
- ➔ Informing and supporting decisions and actions that promote impact learning and learning, educational leadership and student services.
- ➔ Staying current with ethics guidelines and decisions from professional organizations and other relevant sources.
- ➔ Engaging with the greater educational community through professional organizations and associations.
- ➔ Advancing the education resources and facilities to ensure equitable opportunities for all members within the school community.

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**“What’s the big deal about standards?” II. A. 2.**

**PRINCIPLE II**  
**RESPONSIBILITY FOR PROFESSIONAL COMPETENCE**

The professional educator is committed to the highest levels of professional and ethical practice.

**A. The professional educator demonstrates commitment to high standards of practice through:**

1. Using the MCEE and other ethics codes unique to one’s discipline to guide and frame educational decision-making.
2. Investigating this one’s practice using a variety of means and resources, including those specific to one’s discipline.
3. Advocating for equitable educational opportunities for all students.
4. Accepting the responsibilities, performing duties and providing services corresponding to the level of commitment, ensuring student learning of one’s practice.
5. Reflecting upon and assessing one’s professional skills, knowledge and competencies on an ongoing basis, and
6. Committing to ongoing professional learning.

**B. The professional educator demonstrates responsible use of data, materials, research, and assessment by:**

1. Recognizing relevant work by appropriately citing data or materials from published, unpublished or electronic sources when disseminating information.
2. Using appropriate assessments for the purposes for which they are intended and for which they have been validated to guide educational decisions.
3. Conducting research in an ethical and responsible manner with appropriate permission and supervision.
4. Planning and using evidence, individual data, research and professional knowledge to inform practice.
5. Creating, maintaining, disseminating, storing, retaining and disposing of records and data relating to one’s research and practice in accordance with, but not limited to, official policies, policy and laws.
6. Using data, data sources, or findings accurately, reliably and ethically.

**C. The professional educator demonstrates competence by acting in the best interest of all students by:**

1. Increasing student access to the curriculum, activities and resources in order to provide a quality and equitable educational experience.
2. Working to engage the school community to disseminate, opportunity and assessment gaps, and
3. Protecting students from any practices that harm or see the reasonable potential to harm.

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**“I just teach [subject]...”**

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**“I just teach [subject]...”**

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**“It’s just a gift!” III. A. 5.**

**PRINCIPLE III**  
**RESPONSIBILITY TO STUDENTS**

The professional educator has a primary obligation to promote the health, safety and well-being of all students. The professional educator treats students with dignity and respect, and acknowledges and maintains appropriate verbal, physical, emotional and social boundaries.

**A. The professional educator respects the rights and dignity of all students by:**

1. Identifying students by taking into account their individual characteristics, including but not limited to age, gender, culture, religion, ability and socioeconomic status.
2. Interacting with students with transparency and in appropriate settings.
3. Communicating with students in a clear, respectful and culturally sensitive manner.
4. Taking into account how appearance and dress can affect one’s interactions and relationships with students.
- ➔ Considering the implications of accepting gifts from or giving gifts to students.
- ➔ Recognizing a physical contact with students only when there is a clearly defined purpose that benefits students and, conversely, serves their health, safety and well-being in mind.
- ➔ Avoiding multiple relationships with students that might impair objectivity and increase the risk of harm to their well-being or decrease educational effectiveness.

**B. The professional educator demonstrates due effort of care through:**

1. Seeking to understand students’ educational, academic, personal and social needs as well as their values, beliefs and cultural background.
2. Preserving the dignity, worth and autonomy of each individual student including, but not limited to, actual and personal gender expression, gender identity, sexual orientation and other family status, religion, age, disability, race, ethnicity, socioeconomic status and culture and
3. Establishing and maintaining an environment that promotes the emotional, intellectual, physical and social safety of all students.

**C. The professional educator maintains student trust and confidence daily when interacting with students in a developmentally appropriate manner and within appropriate limits by:**

1. Recognizing the privacy of students and the need to hold in confidence certain details of student information, such as information obtained in the course of professional practice.
2. Upholding the privacy of students, as well as any legal requirements, to remain confidential within the profession.
3. Preserving the confidentiality of student records and other personal data in accordance with applicable laws and best practices.

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**“He’s weird” or “He’s not like us!” III. B. 2.**

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4. Taking into account how appearance and dress can affect one’s interactions and relationships with students.
- ➔ Considering the implications of accepting gifts from or giving gifts to students.
- ➔ Recognizing a physical contact with students only when there is a clearly defined purpose that benefits students and, conversely, serves their health, safety and well-being in mind.
- ➔ Avoiding multiple relationships with students that might impair objectivity and increase the risk of harm to their well-being or decrease educational effectiveness.

**B. The professional educator demonstrates due effort of care through:**

1. Seeking to understand students’ educational, academic, personal and social needs as well as their values, beliefs and cultural background.
2. Preserving the dignity, worth and autonomy of each individual student including, but not limited to, actual and personal gender expression, gender identity, sexual orientation and other family status, religion, age, disability, race, ethnicity, socioeconomic status and culture and
3. Establishing and maintaining an environment that promotes the emotional, intellectual, physical and social safety of all students.

**C. The professional educator maintains student trust and confidence daily when interacting with students in a developmentally appropriate manner and within appropriate limits by:**

1. Recognizing the privacy of students and the need to hold in confidence certain details of student information, such as information obtained in the course of professional practice.
2. Upholding the privacy of students, as well as any legal requirements, to remain confidential within the profession.
3. Preserving the confidentiality of student records and other personal data in accordance with applicable laws and best practices.

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### Small Group Discussion Questions:

Adapted from Module 5 of the CSDE TEAM Manual

1. What possible issues/concerns might this scenario raise?

2. How could this situation conflict with school policy, the PA Code of Conduct/EDA, Model Code of Ethics for Educators, or case law?

3. In this situation, what are some potential negative consequences for the educator's students, fellow educators and the school community-at-large?

4. What responses/actions will result in a more positive outcome and/or what proactive measures might be considered?

5. Please take 10 minutes to prepare a reply with educators in your breakout room.

You need not agree!

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## Educator-Student Sexual Relationship

MT, a male high school band director, flirted romantically with a female band student during her 9<sup>th</sup> & 10<sup>th</sup> grade years. They developed a sexual relationship over her 11<sup>th</sup> & 12<sup>th</sup> grade years. Sexual intercourse occurred after school hours in the band room office.

MT's class preparedness did not appear to suffer while the sexual relationship continued.

Their relationship continued after the student graduated and attended college. Her parents complained to the school. MT was told by his supervisor to end the relationship. MT did not end the relationship.

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## Educator-Student Sexual Relationship

Student broke off the relationship with MT. Student then later told her parents of the sexual nature of the relationship during high school. Parents contacted the school again. MT was still employed at the school. School administrator contacted and met with former student in person. School administrator filed Educator Misconduct Complaint with PDE.

Recommendation: Provide printout of fact scenario summary and CSDE questions for breakout room discussions.

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## Facilitator's "Hints" or "Answers" (Q.2)

Child Protective Services' "sexual abuse or exploitation" 23 Pa C.S.A. Chapter 6302

EDA Section 9c "sexual misconduct"

EDA Section 9d "immorality, intemperance, and incompetence"

PA Code of Professional Practice and Conduct:

- Section 235.5a Commitment to Students "primary professional obligation... to students they serve"
- 235.5ab2 "Shall maintain appropriate professional relationships and boundaries with all students at all times, both in and outside the classroom."
- 235.5ab3 "Shall not sexually harass students or engage in sexual misconduct."
- 235.5ab13 "Shall refrain from inappropriate communication with a student or minor,...includes communications that are sexually explicit, that include...remarks of a sexualized nature, that can be reasonably interpreted as flirting or soliciting sexual contact...."

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## Facilitator's "Hints" or "Answers" (Q.2)

Numerous conflicts with standards in the Model Code of Ethics for Educators, especially: Principle III: RESPONSIBILITY TO STUDENTS

A. The professional educator respects the rights and dignity of all students by

7. Avoiding multiple relationships with students that might impair objectivity and increase the risk of harm to their well-being or decrease educator effectiveness;
8. Acknowledging there are no circumstances that allow for educators to engage in romantic or sexual relationships with students; and
9. Considering the ramifications of entering into an adult relationship of any kind with a former student, including but not limited to, any potential harm to the former student, public perception and the possible impact on the educator's career...

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## Additional Scenarios for Discussions

### Blogsites on Ethics Case Studies

- Ethics for Music Educators - Part III Case Studies  
<https://paulfox.blog/2017/09/01/ethics-for-music-educators-iii/>
- Ethical Scenarios  
<https://paulfox.blog/category/ethics/>
- Ethical Conundrums Revisited - Part II  
<https://paulfox.blog/2018/08/20/ethical-conundrums-revisited-part-ii/>
- Ethical Conundrums Revisited - Part III  
<https://paulfox.blog/2018/10/14/ethical-conundrums-revisited-part-iii/>
- Studies in PA Educator Ethics Case Law  
<https://paulfox.blog/2021/06/26/studies-in-pa-educator-ethics-case-law/>

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THE CHOICES WE MAKE...

You said that you had things to teach me.  
And now, I see it all so clear.  
We're led, each moment that we live in,  
To the only choice we're given.  
Will we live by love or fear?

And you, you knew it's never easy.  
It's never black or white,  
Just shades of grey.

All we do, is face up to those choices,  
And obey our inner voices  
And hope we find our way.

And all the choices we make  
Will shape our lives forever,  
Ev'ry path we take  
When push comes down to shove,  
Ev'ry moment counts.

It's always now or never.  
And although, god knows,  
You chose the life you chose,  
I'm here because, just once,  
You chose to love...

A  
BRONX  
TALE

THE NEW MUSICAL

Feel free to reach out to [paulkfox.usc@gmail.com](mailto:paulkfox.usc@gmail.com)

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# Ethical “Fact Scenarios” for Additional Collegial Analysis

## Planning School Ethics Training – SAS Institute 2024: Purposeful Leadership

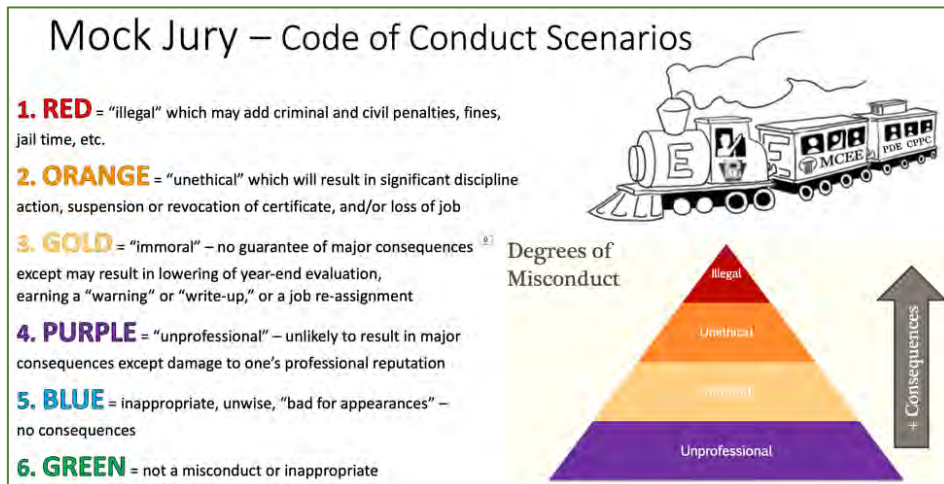
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### “Mock” Case Studies for More Sessions of Interactive Discussion

1. Mr. S is a high school teacher who has been tutoring Melissa on an Advanced Placement course after school for several months. Although Melissa’s academic performance has been improving, Melissa’s parents meet with the principal about concerns they have regarding Mr. S’s relationship with Melissa. During their tutoring sessions, Mr. S has given Melissa gift cards as rewards for her academic progress, driven Melissa home after tutoring sessions, and even begun to communicate with Melissa via text messaging during the evenings.

While they have no proof of any impropriety, Melissa’s parents are concerned. When the principal meets with the teacher, Mr. S argues that his behavior is not inappropriate and that he is simply offering assistance to a student in need.

2. Rich W. is a high school band director who gives pet names to the female students in his ensembles. He calls them “darling” and “sweetheart” but always refers to the male students by their first name. Some of the female students are upset with this and arrange to meet with the principal to discuss their concerns.
3. Melissa S. is a third-grade teacher in a rural school. Near the end of the year, Rodrigo enrolls in her class, even though he cannot speak English. Ms. S. is frustrated because she feels she does not have the training to work with a student like Rodrigo and complains in class that “people shouldn’t come here if they can’t even speak our language.” One of the students complains to her parents about what Ms. S said.
4. In the hallway one day, students from one of your classes stop and ask you what you think of Mr. T. When you ask why this would be important to them, they explain that Mr. T. had gone on a tirade in their class and complained about your ability as a teacher. One of them says that Mr. T. says that you were the worst teacher in the school.
5. An itinerant special needs teacher travels from school to school. After leaving Elm elementary school, the teacher travels to Central elementary. A Central teacher has a biological child who attends Elm elementary. Because of recent discipline issues with some of the special education students, the teacher at Central begins to ask the itinerant instructor about the behavior of some of the children at Elm elementary. The itinerant begins to share some of the concerns and specifics about the IEPs of those children who were involved in a recent behavioral incident.
6. Elizabeth L. taught at Webster Hills Middle School. In her free time, Ms. L. was also a cheerleader for a local sports team. As a reward for their performance on a recent exam, Ms. L. performed one of her cheerleading routines for her eighth graders in her classroom. Unbeknown to Ms. L, one of the students in the class used his cell phone to videotape the cheerleading routine. The student posted the video online and the video drew the attention of district personnel and community members. Several parents were outraged and complained about the suggestive nature of the cheerleading routine.



#### In Depth Discussion Questions (adapted from the CSDE)

1. What possible issues/concerns might this scenario raise?
2. How could this situation become a violation of your school entity policy, CPCC other PA regulations, statutes, MCEE, or caselaw?
3. In this situation, what are some potential negative consequences for the students, fellow educators, and the school community?
4. At this point, what responses/actions will result in a more positive outcome and/or what proactive measures might be considered?

For more articles on school ethics and additional scenarios, please visit  
<https://paulfox.blog/category/ethics/>

## Small Group Discussion Questions:

Adapted from  
Module 5 of the  
CSDE TEAM Manual

1. What possible issues/concerns might this scenario raise?

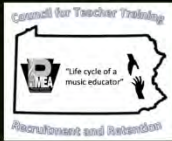
2. How could this situation conflict with school policy, the PA Code of Conduct/EDA, Model Code of Ethics for Educators, or case law?

3. In this situation, what are some potential negative consequences for the educator's students, fellow educators and the school community-at-large?

4. What responses/actions will result in a more positive outcome and/or what proactive measures might be considered?

5. Please take 10 minutes to prepare a reply with educators in your breakout room.

You need not agree!



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## Sample Case Study

### Fact Scenario: Teacher/Student Relationship

- MT, a male high school band director, flirted romantically with a female band student during her 9<sup>th</sup> & 10<sup>th</sup> grade years. They developed a sexual relationship over her 11<sup>th</sup> & 12<sup>th</sup> grade years. Sexual intercourse occurred after-school in the band room office.
- MT's class preparedness did not appear to suffer while the sexual relationship continued.
- Their relationship continued after the student graduated and attended college. Her parents complained to the school. MT was told by his supervisor to end the relationship. MT did not end the relationship.
- Student broke off the relationship with MT. Student then later told her parents of the sexual nature of the relationship during high school.
- Parents contacted the school again. MT was still employed at the school.
- School administrator contacted and met with former student in person. School administrator filed Educator Misconduct Complaint with PDE.

Additional discussion questions:

1. What if the relationship was always of mutual consent?
2. What if the teacher did not teach the student while she was enrolled in his school?
3. What if the relationship did not start until after the student graduated?
4. What if his student was over the age of 18 during the time of the relationship?