



CATCH THE
E3 - TRAIN



Catch the E-Train!




Essential Ethics for the new Educator
<https://paulfox.blog/category/ethics/>


by Paul K. Fox, PMEA State Retired Member Coordinator and
Chair of the PMEA Council for Teacher Training, Recruitment & Retention
PCMEA/PMEA Members, Pre-Service, or Graduate Students
paulkfox.usc@gmail.com © 2025 Paul K. Fox

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CATCH THE
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Catch the E-Train!



Essential Ethics for the new Educator
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In the education profession, it is a "fine line" to maintain both the standards and appearances of professionalism, morality, and ethical codes of conduct in the workplace.

*I keep a close watch on this heart of mine
I keep my eyes wide open all the time
I keep the ends out for the tie that binds
Because you're mine, I walk the line.* — Johnny Cash

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Today's Targets & Audience




GOAL: Reviewing ethical concepts, codes, definitions, and educator decision-making, and recommendations for the avoidance of unacceptable actions and/or appearances.

- WHY?** The average educator makes more than a thousand decisions a day, resolving conflicts in pedagogy, enforcement, resource allocation, relationships, and diversity.
- WHAT?** From codes to conundrums, we will touch on philosophies of personal morality, regulations, ethics, and professional attitudes/dispositions, and introduce the Code of Conduct & National Association of State Directors of Teacher Education and Certification Model Code of Ethics for Educators.
- WHO? YOU!** Why is this important for all pre-service, "rookie," or experienced professional educators? It is *essential*... not so much to serve as a reminder of the penalties for ethical infractions or spotlighting the occurrences you read or hear about in the news... but, because **ETHICS** are what all of us stand for, the values we exhibit in our day-to-day decision-making, the integrity of the profession, and our "making a difference" in the lives of our students.

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Starting out with the "WHY"





Why are we so concerned about discussions on and professional development for PA educators on ETHICS?

- How** should we practice ETHICS daily, both in the classroom and outside school?
- 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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DO YOU KNOW THE MEANING OF THESE ETHICAL TERMS?

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exemplar misconduct fiduciary

mandatory reporting

harm codes professionalism

ethical equilibrium boundaries

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PRE-TEST: "Which statement has the *least* validity?"

a.
Moral professionalism involves being well informed about students, education, and content, confronting parents of underachieving students, cooperating with colleagues to observe school policies, and criticizing unsatisfactory policies and proposing constructive improvement.

b.
Teachers, attorneys, doctors, nurses, counselors, therapists, and the clergy have "fiduciary" duties: own the highest legal duties of good faith and trust and are bound ethically to act in another party's best interest.

c.
Although not always defined in exact terms of school law or policies, professional ethics are "standards that assist practitioners within situation and systemic contexts in choosing the best course-of-action."

d.
A code of ethics outlines a set of principles that affect decision making, while a code of conduct delineates specific behaviors that are required or prohibited and governs actions.

e.
The primary goal for ethics training is to emphasize the "minimum standards of acceptable behavior" and focus on specific illegal and unethical actions that may result in disciplinary actions.


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PENNSYLVANIA'S CODE OF PROFESSIONAL PRACTICE AND CONDUCT FOR EDUCATORS

pennsylvania
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

CAN YOU NAME THE EXACT TITLE OF THE PA CODE OF CONDUCT AND THE AGENCY WHICH ENFORCES IT?

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SAMPLE ETHICS IN THE NEWS (BAD EXAMPLES)




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I wish for little things - Promises we didn't keep - Say it's not happening - But I'm not so blind that I can't see



Shame on you - You pull a string - And now everything's unraveling - Watched it fall, did nothing at all - Shame on you - Shame on me too

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1. Volkswagen

2. Jerry Sandusky

3. Christopher Martinelli

4. Russian athletes' doping

5. Cynthia Hartopp

6. Jason Cooper

7. Fox News Roger Ailes

8. Lending Club Renaud Laplanche

9. Takata air bags

10. Thomas Harvey Matthews

11. Bank of America

12. Bernie Madoff pyramid scheme

13. BP Deepwater Horizon

14. Enron Kenneth Lay

15. Michael Cinefra

16. Adelpia

17. Martha Stewart

18. Kathleen Kane

19. WorldCom

20. Yahoo Scott Thompson

21. Walter Street


22. Wells Fargo

23. Richard Humphreys

24. Jeffrey Hahn

25. David Borghesani

26. Nick and Ruth Baggetta





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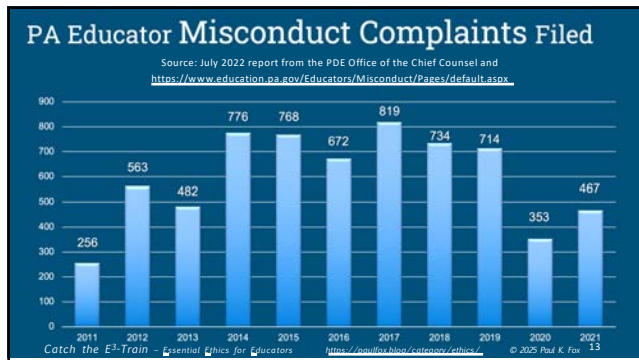


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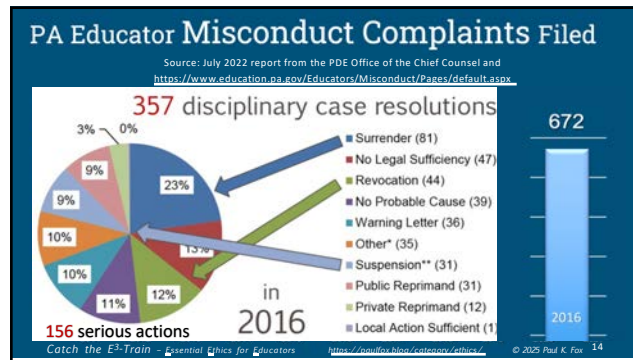
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What's the Buzz? (Tell me what's a happening)

Jean Chris Superstar

Fiduciary = "A person or organization that owes to another the duties of good faith and trust." "The highest legal duty of one party to another, also involving being bound ethically to act in the other's best interests."

- Five groups of people are **"fiduciaries"** – doctors, counselors/therapists, attorneys, the clergy, and... **teachers!**
- Of the five, only one group does not receive formal ethics training – teachers.
- All others receive that training starting in pre-service and throughout their careers.
- Teachers are the only group who works with a captive audience.

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Qualities of a Professional

- Higher education, constant training and retooling, goals, self-improvement
- Adoption of "best practices"
- Creativity, critical thinking, problem solving, communication skills
- Acceptance of criticism, peer review, teamwork, compromise, group vision
- High standards of behavior, etiquette, appearance, language, and **ethics**

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Raising the bar further: effective teachers...

Score HIGH on	Score LOW on
Cooperation	Abruptness
Student engagement	Belittling
Monitoring learning	Counting hours ("clock punching")
Optimism	Defiance
Pacing	Illogical statements
Promoting self-sufficiency	Mood swings
Spontaneity	Oneness (treating group as "one")
Structuring	Recognition-seeking

Source: "The California BTES – Overview of the Ethnographic Study" by David Berliner and William Tikunoff

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Demonstrations of "Moral Professionalism"

- Coming to work regularly and on time
- Being well informed about their student-matter
- Planning and conducting classes with care
- Regularly reviewing and updating instructional practices
- Cooperating with, or if necessary, confronting parents of underachieving students
- Cooperating with colleagues and observing school policies so the whole institution works effectively
- Tactfully but firmly criticizing unsatisfactory school policies and proposing constructive improvement

Source: Wynne, E.A. (1995). The moral dimension of teaching. In A.C. Ornstein (Ed.) Teaching: Theory into practice. (pp. 190-202). Boston: Allyn and Bacon

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The Definitions... “Clear as mud?”

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...” by Troy Hutchings
https://secure.satec.org/apps/11/res_get.php?id=100053&ref=ss

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Nexus Between Ethics and Conduct



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Definitions: moral-ity and ethics

▪ **Morality** = “Principles concerning the distinction between right and wrong or good and bad behavior.”

▪ **Ethics** = “Moral principles that govern a person’s behavior or the conducting of an activity.”

Synonyms: moral code, morals, morality, values, rights and wrongs, principles, ideals, standards (of behavior), value system, virtues, dictates of conscience



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Which standard is it? Mostly moral or ethical?

1. Moral (personal) =
▪ Principles to judge right and wrong
▪ Often used to define individual’s character
▪ More abstract or subjective, may or may not be religious

A teacher decides not to drink a beer when he sees a student enter the same restaurant.



2. Ethical (group) =
▪ Behavior expected by the group or profession
▪ Practical, shared principles promoting fairness and expectations

<https://slideslayer.com/slide/12203032/>



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Which standard is it? Mostly moral or ethical?

1. Moral (personal) =
▪ Principles to judge right and wrong
▪ Often used to define individual’s character
▪ More abstract or subjective, may or may not be religious

A teacher calls in sick to extend her vacation.



2. Ethical (group) =
▪ Behavior expected by the group or profession
▪ Practical, shared principles promoting fairness and expectations

<https://slideslayer.com/slide/12203032/>



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Which standard is it? Mostly moral or ethical?

1. Moral (personal) =
▪ Principles to judge right and wrong
▪ Often used to define individual’s character
▪ More abstract or subjective, may or may not be religious

A coach posts pictures of herself online wearing only a bikini while on a beach vacation.



2. Ethical (group) =
▪ Behavior expected by the group or profession
▪ Practical, shared principles promoting fairness and expectations

<https://slideslayer.com/slide/12203032/>




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Do high moral standards make us more vulnerable?

Are you more apt to commit ethical violations or professional misconducts trying to "do good" for your students with the **best of intentions**?



- Wanting a student to do well results in changing the student's grade or test scores
- An educator gives out his personal cell phone and states that, "I am here to help you anytime, 24-7."
- A counselor gives pre-natal vitamins to a student she knows is pregnant, but the parents do not know of the pregnancy.
- A vegan teacher rants on Facebook about farm animal rights while teaching in a community based in agriculture.
- A principal pays for a student to attend a summer camp.



<https://slideslayer.com/slide/732032326/>

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WHAT'S THE DIFFERENCE BETWEEN A CODE OF CONDUCT AND A CODE OF ETHICS?

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Code of Conduct vs. Code of Ethics

- Similarities: Self-regulation and guidance of (un)acceptable behaviors
- Code of Ethics outlines a set of principles that affect/govern **decision making**
- Code of Conduct outlines specific behaviors that are required or prohibited and govern **actions**



<http://smallbusiness.chron.com/difference-between-code-ethics-conduct-2724.html>
<https://www.whistleblowersecurity.com/code-of-ethics-and-code-of-conduct-whats-the-difference/>


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Codes of Conduct vs. Codes of Ethics

#	Violations of IA Code of Conduct	#	NY State Code of Ethics
1	Crimes, sexual or other immoral; conduct with or toward a student.	1	Educators nurture the intellectual, physical, emotional, social, and civic potential of each student.
2	Misrepresentation, falsification of information.	2	Educators create, support, and maintain challenging learning environments for all.
3	Misuse of public funds and property.	3	Educators commit to their own learning learning in order to develop their practice.
4	Violations of contractual obligations.	4	Educators collaborate with colleagues and other professionals in the interest of student learning.
5	Unethical practice toward other members of the profession, parents, students, and the community.	5	Educators collaborate with parents and community, building trust and respecting confidentiality.
6	Incompetence.	6	Educators advance the intellectual and ethical foundation of the learning community.

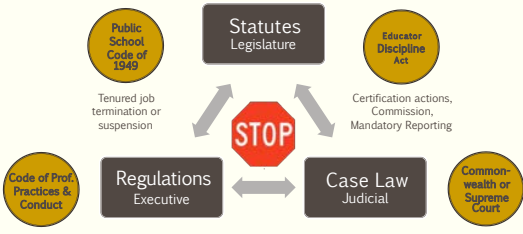
Mark, Michael L. and Madura, Patrice: *Music Education in Your Hands* (Routledge 2010)



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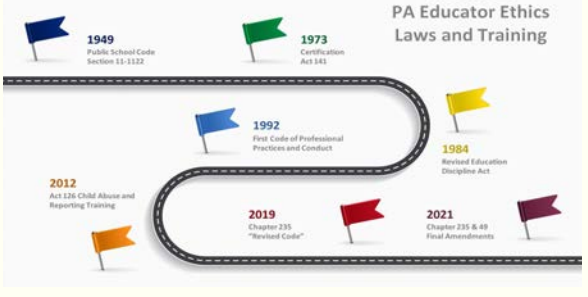
PA Governance – Who's in Charge?



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Timeline of PA Educator Ethics Laws and Training



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“Where Is It?” — How to Find Our PA Ed Laws



<https://www.legis.state.pa.us/WU01/LI/LI/US/HTM/1949/0/0014.HTM>



<https://www.paco.deandbulletin.gov/>

Statutes, Regulations, Policies, and Forms


<https://www.pa.gov/en/agencies/pspc/resources/statutes--regulations--policies-and-forms.html>

PA Title 22 Chapter 235:
Code of Professional Practice and Conduct
https://www.pacodeandbulletin.gov/Display/pa_code?file=/secure/pacode/data/022/chapter235/chap235toc.html&d=reduce

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University of Toronto
Graduate Programs and Services

Discipline System & Reporting
Academic Regulations & Terms

EDUCATION DISCIPLINE ACT
EDUCATION DISCIPLINE ACT
EDUCATION DISCIPLINE ACT

Homework? Please review...

- Section 9a Mandatory Reporting
- Section 9b Discipline for Criminal Offenses
- Section 9c Discipline on Additional Grounds

Section 9c. Imposition of Discipline on Additional Grounds.—(a) The commission shall direct the department to impose discipline against any educator for conduct found by the commission to constitute:

- (1) Immorality.
- (2) Incompetency.
- (3) Intemperance.
- (4) Cruelty.
- (5) Negligence.
- (6) Sexual misconduct.
- (7) Sexual abuse or exploitation.
- (8) A violation of the code for professional practice and conduct adopted pursuant to section

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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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Code of Professional Practices & Conduct

“Professional conduct defines interactions between the individual **educator** and **students**, the **employing agencies**, and other **professionals...**”



“...Educators shall be guided in their conduct by their commitment to their **students, colleagues, and profession.**”

Web version of revised CPPC:

<https://www.na.gov/agencies/pznc/resources/statutes-regulations-policies-and-forms>

PDF document of revised CPPC:

<https://www.na.gov/content/dam/na-comms/na-comms/na-comms/documents/ethical-guidelines-for-journalists/ethical-guidelines-for-journalists.pdf>

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Our PA
Code
of
Conduct



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Our PA
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Our PA Code of Conduct

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STOP

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PENNSYLVANIA'S CODE OF PROFESSIONAL PRACTICE AND CONDUCT FOR EDUCATORS

2.23.1. Mission.

The Professional Standards and Practices Commission (PSPC) is the governing body responsible for developing and maintaining the standards for the profession of education in the Commonwealth of Pennsylvania. The PSPC is committed to ensuring that the standards for the profession of education are of the highest quality and are reflective of the needs of the Commonwealth. The PSPC is also committed to ensuring that the standards for the profession of education are fair and equitable to all educators.

2.23.2. Introduction.

The Professional conduct code defines the standards that educators are expected to follow. The standards are designed to ensure that educators are of the highest quality and are reflective of the needs of the Commonwealth. The standards are also designed to ensure that the standards for the profession of education are fair and equitable to all educators.

2.23.3. Purpose.

The purpose of this code is to establish the standards for the profession of education in the Commonwealth of Pennsylvania. The code is designed to ensure that educators are of the highest quality and are reflective of the needs of the Commonwealth. The code is also designed to ensure that the standards for the profession of education are fair and equitable to all educators.

2.23.4. Scope.

This code applies to all educators in the Commonwealth of Pennsylvania. It applies to all educators who are employed by a public or private school district, or who are employed by a private educational institution. It also applies to all educators who are employed by a non-profit organization that provides educational services to students in the Commonwealth of Pennsylvania.

2.23.5. Definitions.


The following terms and phrases, when used in this code, shall have the meanings indicated below:

- Act**—The Education Practices Act (Act 119) of 2012, as amended, or any subsequent amendments to the Act.
- Board**—The Professional Standards and Practices Commission (PSPC).
- Code**—This code of professional practice and conduct.
- Conduct**—The actions and behaviors of an educator.
- Discipline**—The actions taken by the Board to address a violation of this code.
- Education**—The process of teaching and learning.
- Employer**—The school district or private educational institution that employs an educator.
- Employment**—The relationship between an educator and an employer.
- Employment contract**—The contract between an educator and an employer.
- Employment history**—The record of an educator's employment.
- Employment record**—The record of an educator's employment.
- Employment status**—The status of an educator's employment.
- Employment terms**—The terms of an educator's employment.
- Employment conditions**—The conditions of an educator's employment.
- Employment benefits**—The benefits of an educator's employment.
- Employment responsibilities**—The responsibilities of an educator's employment.
- Employment obligations**—The obligations of an educator's employment.
- Employment duties**—The duties of an educator's employment.
- Employment functions**—The functions of an educator's employment.
- Employment tasks**—The tasks of an educator's employment.
- Employment projects**—The projects of an educator's employment.
- Employment assignments**—The assignments of an educator's employment.
- Employment responsibilities**—The responsibilities of an educator's employment.
- Employment obligations**—The obligations of an educator's employment.
- Employment duties**—The duties of an educator's employment.
- Employment functions**—The functions of an educator's employment.
- Employment tasks**—The tasks of an educator's employment.
- Employment projects**—The projects of an educator's employment.
- Employment assignments**—The assignments of an educator's employment.

Our PA Code of Conduct

2.23.6. Standards.

- Standard 1: Professionalism. Educators shall maintain high ethical standards and shall act in a professional manner at all times. Educators shall not engage in any behavior that reflects unfavorably on the profession of education.
- Standard 2: Communication. Educators shall communicate effectively with students, parents, and colleagues. Educators shall use appropriate communication skills to foster a positive learning environment.
- Standard 3: Instruction. Educators shall use effective instructional practices to promote student learning. Educators shall use a variety of instructional strategies to meet the needs of all learners.
- Standard 4: Assessment. Educators shall use appropriate assessment practices to monitor student learning. Educators shall use assessment data to inform instruction and to improve student learning.
- Standard 5: Collaboration. Educators shall collaborate with colleagues to improve student learning. Educators shall participate in professional development activities to stay current in the field of education.
- Standard 6: Leadership. Educators shall demonstrate leadership skills in the classroom and in the school. Educators shall take initiative to improve the quality of education for all students.
- Standard 7: Professional Development. Educators shall engage in ongoing professional development activities to stay current in the field of education. Educators shall seek out opportunities for growth and learning.
- Standard 8: Community. Educators shall be active members of the school community. Educators shall participate in school activities and events to support the school and its students.
- Standard 9: Safety. Educators shall ensure the safety of students and colleagues at all times. Educators shall follow all school safety protocols and procedures.
- Standard 10: Confidentiality. Educators shall maintain the confidentiality of student information at all times. Educators shall not disclose student information to unauthorized personnel.
- Standard 11: Fairness. Educators shall treat all students fairly and equitably. Educators shall not discriminate on the basis of race, ethnicity, gender, or any other protected characteristic.
- Standard 12: Integrity. Educators shall act with integrity at all times. Educators shall not engage in any behavior that is dishonest or unethical.



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<p>PENNSYLVANIA'S CODE OF PROFESSIONAL PRACTICE FOR EDUCATORS</p>	<p>provided by this chapter may be used to discipline any educator who is found to have violated the disciplinary provisions contained within this chapter. The purpose and intent of this chapter is to protect the public. Violation of this chapter may also be an independent basis for a public or private reprimand.</p>	<p>6. Unlawful sexual contact or sexual harassment and sexual abuse. Unlawful sexual contact or sexual harassment and sexual abuse, as such, is not a basis for discipline under this chapter. However, the requirement of meeting with a student, or any other person, in person, or by electronic means, for the purpose of providing instruction or supervision to a student or member of the school district is not an independent basis for discipline.</p>
<p>§ 251.5. Mission.</p> <p>The purpose of the Pennsylvania Standards and Practices for Educators (PSPS) is to provide a framework for improving the quality of education in Pennsylvania by establishing high standards for preparation, certification, licensure, and conduct, and to ensure the highest level of performance in the teaching profession.</p>	<p>7. Unlawful sexual contact or sexual harassment and sexual abuse. Unlawful sexual contact or sexual harassment and sexual abuse, as such, is not a basis for discipline under this chapter. However, the requirement of meeting with a student or member of the school district is not an independent basis for discipline.</p>	<p>Our PA Code of Conduct</p>
<p>§ 251.6. Introduction.</p> <p>The purpose of this chapter is to establish a certificate or employment eligibility for a teacher or educator.</p> <p>8. Unlawful sexual contact or sexual harassment and sexual abuse. Unlawful sexual contact or sexual harassment and sexual abuse, as such, is not a basis for discipline under this chapter. However, the requirement of meeting with a student or member of the school district is not an independent basis for discipline.</p>	<p>9. Unlawful sexual contact or sexual harassment and sexual abuse. Unlawful sexual contact or sexual harassment and sexual abuse, as such, is not a basis for discipline under this chapter. However, the requirement of meeting with a student or member of the school district is not an independent basis for discipline.</p>	<p>10. Unlawful sexual contact or sexual harassment and sexual abuse. Unlawful sexual contact or sexual harassment and sexual abuse, as such, is not a basis for discipline under this chapter. However, the requirement of meeting with a student or member of the school district is not an independent basis for discipline.</p>

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[illegible]


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Model Code of Ethics for Educators



- National Association of State Directors of Teacher Education and Certification
 - ▶ First draft unveiled in 2015 Updated in 2021
- Principles
 - I. Responsibility to the Profession
 - II. Responsibility for Professional Competence
 - III. Responsibility to Students
 - IV. Responsibility to the School Community
 - V. Responsible and Ethical Use of Technology

PA Board of Education endorsed MCEE in January 2017. It was fully adopted as "MCEEE" in 2021.




http://www.nasdt.net/?page=MCEE_Doc

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Model Code of Ethics for Educators



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 **gray**

More **open-ended**: a selection from a set of possible choices

Reflections on decision-making depended on the **circumstances of the situation**

PA Board of Education endorsed MCEE in January 2017. It was fully adopted as "PMCEE" in 2021.



Development Partners

- American Association of Colleges of Teacher Education
- American Federation of Teachers
- Association of Teacher Educators
- Council for Accreditation of Education 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

http://www.nasdtc.net/?page=MCEE_Doc

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WHAT WOULD YOU DO?
INTERACTIVE DISCUSSION ON CASE STUDIES!

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Applying BOTH “Codes” to Educator Choice

I. Pedagogy

A. What to teach
B. How to teach
C. How to assess

II. Enforcement

A. Activities – association, district, school, or union policies
B. Copyright issues
C. Teaching licensure & credentials
D. Students who break the law

III. Resource Allocation

A. Equity issues
B. Budgets (“fairness”)
C. Fiscal authority & Influence

IV. Relationships

A. Conflicts with school staff or parents
B. Professional boundaries with students
C. Confidentiality
D. Honesty
V. Diversity

Lien, Joelle L. 2012. Ethical dilemmas of in-service music educators. *Action, Criticism, and Theory for Music Education* http://act.maydaygroup.org/articles/Lien11_1.pdf

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Models for Ethical Scenario Analysis

• Code of Conduct – Degree of Misconduct

Degrees of Misconduct

Bigot


Unethical

Immoral

Unprofessional

↑ Consequences

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

Bigot

Unethical

Immoral

Unprofessional

↑ Consequences

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Scenario #1: “Counseling Sessions”

Reflections:

A. How could this situation become a violation of the law, either of the “Codes,” or other school/district policies?

B. In this situation, what are some potential negative consequences for the teacher and the student?

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

Degree of Misconduct

Bigot

Unethical

Immoral

Unprofessional

↑ Consequences

Mrs. K is a high school math teacher whose husband recently divorced her. During a lesson one day, Mrs. K breaks down emotionally in front of her class. To calm everybody, she explains her emotional state to her students and discusses the end of her marriage. After school that day, a male student visits Mrs. K to see if she has recovered. The student explains that his parents are also divorcing, and he understands her feelings. The student begins stopping in to see Mrs. K more frequently and the pair begins spending more time outside of class supporting each other. Her colleagues become suspicious of her relationship with the student and report the teacher’s actions to their principal.

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Scenario #1: “Counseling Sessions”

Reflections:

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Ethics Violation – JOB LOSS?

CPPC: 235.5a (b) 2 “boundaries”

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The Teacher-Student Relationship



- 1. **Trust** has evolved into the operative foundation of the relationship of students with their teachers.
- 2. The duty of teachers is to act as a **fiduciary** in their **students' best interest** and to create and maintain a **safe environment** for their students derives.
- 3. When a teacher enters into an inappropriate relationship with a student (e.g. "confidant" or "friend"), the teacher violates the recognized **student-teacher "boundary."**
- 4. Teachers must also ensure that their **colleagues** conform to the appropriate standard of ethical practice as well.



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Vulnerabilities



- 1. Teachers who are experiencing difficulties in their personal lives or are socially or emotionally immature may be particularly susceptible to the **"slippery slope."** Examples: viewing students as peers or lack of personal crisis skills
- 2. Dangers to rookie or new teachers:
 - Inexperience
 - Near students' ages - looking like one of them
 - Sharing common interests and music preferences
 - Overlapping circle of friends
- 3. "Cool" factor (looked up to, "fad, mod, stylish...")



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Scenario #2: "Musical Relations"

Reflections:

A. How could this situation become a violation of the law, either of the "Codes," or other school/district policies?

B. In this situation, what are some potential negative consequences for the teacher and the student?

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

Melissa S. was a 23-year-old high school music teacher who also supervised the production of the school musical. After months of practices, Miss S. became very close to several seniors including David, the male lead in the musical. She and David began sharing emails and texts with one another. Most of the communication was playfully flirtatious but not overtly sexual. Immediately after graduation, however, Miss S. and David began dating and became sexually intimate. After discovering the relationship, David's parents filed a complaint against her with district administration.

Ethics Violation - JOB LOSS!

CPPE: 235.5a (b) 13

Degree of Misconduct

STOP

UP

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Scenario #2: "Musical Relations"



Reflections:

A. How could this situation become a violation of the law, either of the "Codes," or other school/district policies?

B. In this situation, what are some potential negative consequences for the teacher and the student?

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Ethics Violation - JOB LOSS!

CPPE: 235.5a (b) 13

Degree of Misconduct

STOP

UP

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Blurred Student-Teacher Boundaries

- **Warning signs:** Look for the teacher-student relationship shifting from serving the needs of the student to focusing on the needs of the teacher.
- There may be an **increase in the frequency** of interaction as well as an increased level of **intimacy**, which ultimately may lead to a sexual relationship.
- In some areas in the world (Australia), there is the assumption within the profession that a relationship with a former student was permissible only as long as **it did not start while the student was at school.**
- However, this issue is more about an inherent **power imbalance** that can influence inappropriate relationships between teachers and students or former students - even after the student has left school.

The American Psychological Association (117,500 members) has an ethical guideline of non-fraternization for at least two years post-treatment.

The National Association of Social Workers (150,000 members) has a one-year moratorium regarding any sexual involvement with a client.

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Models for Ethical Scenario Analysis

- Code of Conduct - *Degree of Misconduct*
- Code of Ethics - *Voices in My Head*





Sample Bad Attitudes!

I didn't know it was wrong!"
I. Responsibility to the Profession, A. 7.

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Models for Ethical Scenario Analysis

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



Sample
Bad Attitudes!

"He's weird" or "He's not like us!"
III. Responsibility to the Students, B. 2.

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Models for Ethical Scenario Analysis

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





Sample
Bad Attitudes!


"Don't ask for permission. Beg for forgiveness!"
IV. Responsibility to the School Community, C. 1.

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"I just teach [subject]..."



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:

- Using the MCEE and other ethics codes unique to one's discipline to guide and frame educational decision-making.
- Incorporating into one's practice state and national standards, including those specific to one's discipline.
- Advocating for equitable educational opportunities for all students.
- Accepting the responsibilities, performing duties and providing services corresponding to the area of certification, licensure and/or training of one's position.
- Reflecting upon and assessing one's professional skills, knowledge and competency on an ongoing basis, and
- Committing to ongoing professional learning.

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

- Recognizing others work by appropriately citing data or materials from published, unpublished or electronic sources when disseminating information.
- Using appropriate assessments for the purposes for which they are created and for which they have been validated to guide educational decisions.
- Conducting research in an ethical and responsible manner with appropriate permission and supervision.
- Seeking and using evidence, instructional data, research and professional knowledge to inform practice.
- 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 guidance, policy and laws, and
- 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:

- Increasing students' access to the curriculum, activities and resources in order to provide a quality and equitable educational experience.
- Working to engage the school community to close achievement, opportunity and attainment gaps, and
- Protecting students from any practice that harms or has the reasonable potential to harm.


...so don't ask me to do anything else!" II. C. 2

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"I just teach [subject]..."




PRINCIPLE II

RESPONSIBILITY FOR PROFESSIONAL COMPETENCE

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

DOMAIN 4 Professional Responsibilities



A. The professional educator demonstrates standards of practice through:

- Using the MCEE and other ethics codes to guide and frame educational decision.
- Incorporating into one's practice state a including those specific to one's discipline.
- Advocating for equitable educational opportunities for all students.
- Accepting the responsibilities, performing duties and providing services corresponding to the area of certification, licensure and/or training of one's position.
- Reflecting upon and assessing one's professional skills, knowledge and competency on an ongoing basis, and
- Committing to ongoing professional learning.

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

- Recognizing others work by appropriately citing data or materials from published, unpublished or electronic sources when disseminating information.
- Using appropriate assessments for the purposes for which they have been validated to guide educational decisions.
- Conducting research in an ethical and responsible manner with appropriate permission and supervision.
- Seeking and using evidence, instructional data, research and professional knowledge to inform practice.
- 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 guidance, policy and laws, and
- Using data, data sources, or findings accurately, reliably and ethically.

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- Increasing students' access to the curriculum, activities and resources in order to provide a quality and equitable educational experience.
- Working to engage the school community to close achievement, opportunity and attainment gaps, and
- Protecting students from any practice that harms or has the reasonable potential to harm.

...so don't ask me to do anything else!" II. C. 2

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Models for Ethical Scenario Analysis



- Code of Conduct – *Degree of Misconduct*
- Code of Ethics – *Voices in My Head*
- Both "Codes" – *Find the Standard*




It's time for a...
Scavenger Hunt!

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"My students are my friends!"



Ready,
Get Set,
Go...


When you find the paragraph and/or number in the CPPC, raise your hand.

§ 235.5a. Commitment to students.


- The primary professional obligation of educators is to the students they serve.
- In fulfillment of the commitment to students, educators:
 - Shall maintain appropriate professional relationships and boundaries with all students at all times, both in and outside the classroom.

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"My students are my friends!" III. A. 7.



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 establishes and maintains appropriate verbal, physical, emotional and social boundaries.

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


1. Respecting students by taking into account their individual characteristics, including but not limited to age, gender, culture, ability, 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.
5. Considering the implications of accepting gifts from or giving gifts to students.
6. Engaging in physical contact with students only when there is a clearly defined purpose that benefits students and continuously assesses their health, safety and well-being in mind.
7. Avoiding multiple relationships with students that might impair objectivity and increase the risk of harm to their well-being or decrease educator effectiveness.

B. The professional educator demonstrates an ethic of care through:

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

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

1. Respecting the privacy of students and the need to hold in confidence certain forms of student communication, documents or information obtained in the course of professional practice.
2. Limiting access to students' legal rights, as well as any legal requirements, to avoid information related to negative comments for the well-being of a student, and
3. Preserving the confidentiality of student records and releasing personal data in accordance with prescribed state and federal law and board policies.



Ready,
Get Set,
Go...


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Models for Ethical Scenario Analysis

- Code of Conduct – *Degree of Misconduct*
- Code of Ethics – *Voices in My Head*
- Both "Codes" – *Find the Standard*
- All "Codes" – *Deep Dive in Break Outs*

From CSDE's *Teacher Education And Mentoring Manual*:
"Teachers must engage in district-facilitated conversations that focus on ethical and professional dilemmas and their professional responsibility to students, the larger school/district educational community, and to families."




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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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(Ideal) Steps to Analyze Case Studies

Mock Practice in Professional Ethical Decision-Making


1. Establish "safe" learning networks (informal?) with fellow educators.
2. Share a(n) incident or "hypothetical" scenario.
3. Discuss the conflicts & consequences (use the **CSDE TEAM** questions?)
4. Consider divergent opinions with an open mind.
5. 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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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-ii/>
- Ethical Scenarios <https://paulfox.blog/category/ethics/>
- Ethical Conundrums Revisited - Part I <https://paulfox.blog/2018/08/20/ethical-conundrums-revisited-part-i/>
- Ethical Conundrums Revisited - Part II <https://paulfox.blog/2018/10/14/ethical-conundrums-revisited-part-ii/>
- Studies in PA Educator Ethics Case Law <https://paulfox.blog/2021/06/26/studies-in-pa-educator-ethics-case-law/>

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Additional Scenarios for Discussions



Essential Ethics for the new Educator

by Paul K. Fox - paulfox@k12pa.com <https://www.k12pa.com/paulfox/blog/>
PCMEA/Collegiate/Pre-Service Workshops
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Summary
What does it mean to be a "fiduciary" or approach the practice of "ethical equilibrium"? Can you define the difference between "ethics" vs. "morality" and a code of conduct vs. a code of ethics? Have you read your PA "Code of Professional Practice & Conduct" & MSCE? Why is this important? It is essential... not so much to serve as a reminder of the consequences for ethical infractions or spotlighting professional misconducts you may hear about in the news... but, because ETHICS are what we stand for, the values we exhibit in our day-to-day decision-making, the integrity of our profession, and our "making a difference" in the lives of our students. Besides, most educators have never had full-blown formal ethics training!

Mock Jury - Code of Conduct Scenarios

1. RED - Read what you get from your professional code.


2. ORANGE - Read what you get from your professional code.

3. YELLOW - Read what you get from your professional code.

4. PURPLE - Read what you get from your professional code.

5. BLUE - Read what you get from your professional code.

6. GREEN - Read what you get from your professional code.



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Additional Scenarios for Discussions

E. Additional Scenarios for Discussion

- 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, drives Melissa home after tutoring sessions, and even began 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.
- During lunch, Steven K. often walks around the faculty room giving his female colleagues back massages to help them "relax." Some of the teachers look visibly uncomfortable with the contact and attempt to avoid his massages.
- 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.
- 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 trade 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.
- An itinerant special needs teacher travels from school to school. After leaving Elm elementary school, the teacher travels to Central

Connecticut State Dept. of Ed. In Depth Discussion Questions

- What possible issues/concerns might this scenario raise?
- How could this situation become a violation of your school entity policy, PA Code of Professional Practice and Conduct, other PA regulation or statute, Model Code of Ethics for Educators, or caselaw?



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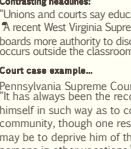
Off-Duty Conduct

Are teachers **role models**, even outside the classroom? *Unequivocally the answer is YES!*

Contrasting headlines:
"Unions and courts say educators deserve privacy," vs.
"A recent West Virginia Supreme Court decision could allow local school boards more authority to discipline school employees for misconduct that occurs outside the classroom."

Court case example...
Pennsylvania Supreme Court (1939) **Horosko v. Mt. Pleasant SD:**
"It has always been the recognized duty of the teacher to conduct himself in such way as to command the respect and good will of the community, though one result of the choice of a teacher's vocation may be to deprive him of the same freedom of action enjoyed by persons in other vocations."

<http://www.mlive.com/news/grand-rapids/index.ssf/2010/12/are-teachers-role-models-outside.html>
<http://www.nac.edu/education/pa/Promoting-Ethical-Practices/Resources/Ethics/10018/10018/Pages/Off-Duty-Conduct.aspx>



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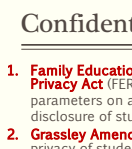
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Confidentiality

- Family Educational Rights & Privacy Act (FERPA)** of 1974 sets parameters on accessibility and disclosure of students' records.
- Grassley Amendment** (1994) details privacy of student participation in surveys, analysis, and evaluation.
- Health Insurance Portability & Accountability Act (HIPAA)** of 1996 provides data privacy & security provisions for safeguarding medical info.
- Drug and alcohol treatment records of students kept by any institution receiving federal assistance are protected under **Drug Abuse Office and Treatment Act** (1976).
- Records of students in special education are affected by the above laws plus **Individuals with Disabilities Education Act** (IDEA, 1997).

PRIVATE AND CONFIDENTIAL

https://nces.ed.gov/pubns/2004/privacy/section_2a.asp



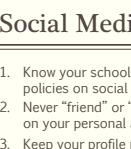
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Social Media Rules

- Know your school district or state's policies on social media.
- Never "friend" or "follow" students on your personal accounts.
- Keep your profile photos clean
- Do not affiliate yourself with your school on a personal profile.
- Do not geo-tag your posts with your school's location.
- "Snaps" are forever! Anyone can take a screen shot of your posts.
- Never mention your school or the names of staff or students in any post.
- Set your Instagram account to private.
- Never complain about your job online.
- Never post photos of your students on social media

<https://www.americanboard.org/blog/?p=249>



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POST-TEST: "Which statement has the *least* validity?"

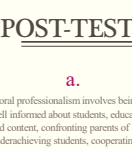
a. Moral professionalism involves being well informed about students, education, and content, confronting parents of underachieving students, cooperating with colleagues to observe school policies, and criticizing unsatisfactory policies and proposing constructive improvement.

b. Teachers, attorneys, doctors, nurses, counselors, therapists, and the clergy have "fiduciary" duties: own the highest legal duties of good faith and trust and are bound ethically to act in another party's best interest.

c. Although not always defined in exact terms of school law or policies, professional ethics are "standards that assist practitioners within situation and systemic contexts in choosing the best course-of-action."

d. A code of ethics outlines a set of principles that affect decision making, while a code of conduct delineates specific behaviors that are required or prohibited and governs actions.

e. The primary goal for ethics training is to emphasize the "minimum standards of acceptable behavior" and focus on specific illegal and unethical actions that may result in disciplinary actions.




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CREDITS

- Dr. Oliver Dreon, Sandi Sheppard, and the Professional Standards and Practices Commission
- Shane Crosby, Executive Director & Legal Counsel/Office of the General Counsel/Professional Standards & Practices Commission
- PA State System of Higher Education
- Nebraska Professional Practices Commission
- Iowa Board of Educational Examiners
- Connecticut's Teacher Education & Mentoring Program
- Lien, Joelle, "Ethical Dilemmas of the Service Music Educators" (*Action, Criticism, and Theory for Music Education*, 2012)
- Mark, Michael L. and Madura, Patrice: *Music Education in Your Hands* (Routledge 2010)



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Articles (reverse chronological order): <https://paulfox.blog/category/ethics/>
Comments appreciated: paul@foxvoice@gmail.com

<https://paulfox.blog/becoming-a-music-educator/>

Training/Jobs

Catch the E-Train!



Essential Ethics for the new Educator
<https://paulfox.blog/category/ethics/>

Collegiate Workshop Handouts:

Catch the E-Train - Essential Ethics for Educators
(College students: Please download and print files from these links)

download

- Online Fall 2022 Presentation
- 2019 Pennsylvania Code of Professional Practices and Checklist
- NAACCTE Model Code of Ethics for Educators
- Catch the E-Train (2023) 10/10/2023
- 100 ethics articles in PDF format (2019-2020)

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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,
Every path we take
When push comes down to shove,
Every 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...*



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