



Applying an Ethical Decision-Making
Model Across the Curriculum
in Higher Education Administration, Special
Education, and Rehabilitation Counseling
Pedagogy

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Purpose of the Presentation

- To explain the genesis of developing and subsequently adapting an ethical decision-making model for teaching courses in three different disciplines:
 1. Providing the background of the project
 2. Describing the ethical decision-making model
 3. Describing how the model may be adapted and used in a rehabilitation counseling course this semester
 4. Envisioning how the model can be adapted and designed into a future special education course

Background

- The model was initially designed by Oliver and Hioco (2010) for use in HE administration graduate courses
- Oliver, Nusbaum, and Pitt became interested in infusing ethical decision-making into their pedagogy and pursuing this through a collaborative SoLT project
- Two common characteristics in the three disciplines are diversity and the need for ethical practice within the profession

Rationale for Developing the Model

- Administrators benefit from having a framework for intentionally factoring ethical perspectives and critical thinking into their decision-making
- Employees throughout the HEI make decisions on a daily basis and administrators must teach and model analytical and ethical decision-making skills
- Pressures to accomplish more with fewer resources may drive administrators and employees to rationalize decisions that compromise ethics and the institution

Definitions

- Ethics includes reasoning (critical thinking), conceptions of right and wrong (values), and related behavior (conduct).
- Critical thinking is a process which includes alternating between analysis and action; the analysis involves reflection and the action should be informed by the analysis.
- Critical and ethical thinkers must understand their own ethical framework: values, principles, standards, and theoretical lenses.

Model's Foundation of Ethical Theories

- 1. Teleological** (consequentialism): (e.g., utilitarianism) greatest good for the greatest number; principle of maximizing benefits
- 2. Justice** (social contract): (e.g., justice-as-fairness) equal rights, equality of opportunity, and the greatest benefit to the least advantaged.
- 3. Deontological** (duty based): (e.g., Kant) principle of universalization; treating people as ends, not means; being non-exploitive and considering both sides
- 4. Virtue ethics** (character): reflected in virtues (e.g., honesty, integrity, and courage)
- 5. Ethic of care** (relationships): situationally balancing relationships and responsibilities

Summary of Critical Thinking Component

1. Identify and analyze assumptions: unrecognized assumptions present obstacles to good analysis.
2. Identify relevant contextual factors: organizations differ and assumptions may become incorrect as an organization evolves, especially in dynamic environments.
3. Analyze alternatives: imagining, exploring, and testing alternatives.
4. Employ reflective skepticism: challenge universal truths, stereotypes, and “it has always been done that way” statements

The Decision-Making Model Fundamentals

Steps:

1. Succinct Statement (what is the issue)
2. Objectives (why is a decision necessary)
3. Alternatives (potential courses of action)
4. Consequences of alternatives
5. How valuable or adverse are the consequences

The Decision-Making Model Fundamentals

Steps:

6. How does each consequence comply with laws, policies, and standards of conduct
7. Apply ethical tests (what is the decision)
8. Assess (was the decision effective)

The Decision-Making Model: Ethical Tests

Analysis of alternatives against ethical tests

- Roles Reversal (what if the decision maker was in the other person's position) (Kant's universal reciprocity)
- Universal Application (what if everyone took this action in a similar situation) (Kant's universalization)
- Matching Principles (fit with personal values not rationalized) (Virtue ethics)

The Decision-Making Model: Ethical Tests

Analysis of alternatives against ethical tests

- Maximizing benefit (greatest good for the greatest number) (Utilitarianism)
- Justice (what population is marginalized and how) (Justice-as-fairness)
- Situation and relations (situational knowledge & relational responsibilities) (Ethic of care)
- Ethical Codes (professional standards)

Introduction of the Model in a Master's Class

- Ethical and Professional Issues in Higher Education course
- 1st semester, HE Administration Master's Program
- Introduced the model with no requirement for the students to use it
- 10 of 22 students adopted the model to analyze a case study

STEPS FOR DECISION MAKING

Issue: Safety of Students and Staff Author: Carol Rains-Heisdorf (2010)

Why is a decision needed? To ensure that administrative policy changes protect students and staff from harm.

Alternative	Possible Consequences	Likely/Unlikely and Valuable/Adverse	Ethical Considerations
1. Do nothing.	Students and staff may be physically harmed, staff may lose job. Program and Alice's job will be protected.	Likely that the alternative will have adverse consequence. The possibility remains that if a student or staff is harmed prior knowledge of the staffs concern may implicate the NICC legally.	Does not follow Alice's ethical framework. This would show the acculturation strategy of a marginalized short term decision (Anderson, 2007, p.67).
2. Provide staff member with information and sign off on document.	Board will be made aware of unsafe policy. Students and staff will have safe environment. Staff member will not have to change position; administration will disapprove of Alice's involvement.	Likely the alternative will meet with administrative disapproval, will have valuable consequence for staff member and students, but may have adverse consequence for program. Unlikely that the choice will meet Dean's approval and will have adverse result regarding Alice's job.	While Alice maintains her values and ethics, she does not consider the possible implications to NICC. This would show the acculturation strategy of separation (Anderson, 2007, p.64).
3. Formally (in writing) consult Dean regarding the situation and the options.	The Dean may or may not take action.	Given the Dean's previous view on Alice's involvement it is likely he will not take action which will have an adverse effect for students and staff. There is the possibility that due to the safety issue, he may intervene, which would be valuable for the students and staff, but may still have an adverse effect on the program.	Alice would maintain her values and ethics by voicing her concerns to the Dean and still leave room to take further action if she feels that the Dean acts unethically. This would demonstrate the acculturation strategy of integration, but would allow for separation if necessary (Anderson, 2007, p.65-66).

TESTS FOR DECISION

Issue: Safety of students and staff Author: Carol Rains-Heisdorf (2010)

Why is a decision needed? To ensure that administrative policy changes protect students and staff from harm.

Question	Alternative #1	Alternative #2	Alternative #3
1. Role reversal: Does this reflect the Golden Rule?			X
2. Universal application: What if everyone did this?			X
3. Another case: Would this apply in an imagined harder similar case?		X	
4. Matching principles: Does the basis of action match one's own higher principle?		X	X
5. Character: How does the decision reflect on one's personal virtues?		X	X
6. Situation and relations: How does this apply situational knowledge and balance personal and relational responsibilities?			X
7. Ethical codes: Does this comply with professional/institutional codes of ethics?		X	X
TOTAL	0	4	6

Introduction of the Model in a Master's Class

- Some lessons learned:
- Model shows promise for use in HE Admin and Leadership courses. (*Work continues*)
- Students tended to focus on the steps; several forgot about the ethical tests. (*Redesigned tables, developed a worksheet, separated pros & cons*)
- Maybe only the selected alternative needs to go through ethical tests? (*Decided all need to be tested*)

Introduction of Model in a Doctoral Class

- Community College Administration HE Specialization seminar class: 7 students
- Read an unpublished manuscript explaining the model
- Received a presentation on the model, summary tables, and a worksheet
- Given a case (developed by the instructor) to analyze using the model

Ethical Decision Making Worksheet

Step 1: Problem (issue statement): Decrease in state revenues resulting in \$11 million budget shortfalls for the 2011 – 12 school year.

Step 2: Objective (in addressing the problem): Closing the budget gap in a manner that satisfies the largest number of stakeholders.

Steps 3-6: Alternatives, consequences, and ethical considerations:

Alternative	Pros (Positive Consequences) and Likely or Unlikely	Cons (Negative Consequences) and Likely or Unlikely	Ethical Implications if Implemented
Move community service classes to not-for-credit classes	Reduce layoffs, generate income, help fund under-funded programs (Likely)	Alienate constituency, higher fees will reduce course enrollment – limiting access (Unlikely)	Maintains access for the students who need it most
Cut classes	Decrease in salaries and benefits, will help reduce FTES (Likely)	50% law, layoffs, lack of adequate classes for students to enroll, deciding which classes to cut (Likely)	Golden rule violated
Use some of reserves	Prevent layoffs, decrease or eliminate the need to cut classes (Likely)	Dependent on state making payments on time, must maintain mandated minimum (Likely)	Decreasing the minimum could make it impossible to meet payroll if state funds were not forthcoming
Limit enrollment	Will help reduce FTES, reduce need for state funding (Likely)	Against Master Plan of open access, students who are denied access may have no other education options (Likely)	Breaking of a promise to the community by not adhering to the mission

Ethical Decision Making Worksheet (cont)

Step 7: Decision: No. 1

Ethical Tests for the Decision	Response: Yes/No and Explanation
Role reversal: Does this reflect the Golden Rule?	<p>1. Yes, a sense of fair play is maintained</p> <p>2. No, I wouldn't want to lose my job</p> <p>3. No, I wouldn't want someone to use up my savings, and the reserves are essentially owned by the taxpayer</p> <p>4. No, I wouldn't want someone to break their promise to me</p>
Universal application: What if everyone did this?	<p>1. It would create a more equitable society</p> <p>2. Massive unemployment</p> <p>3. All institutions would be trapped in a morass of debt</p> <p>4. No one would trust anyone anymore (not that they do now)</p>
Another case: Would this apply in an imagined harder similar case?	<p>No, 2. Yes, 3. Yes, 4. Yes</p>
Matching principles: Does the basis of action match one's own higher principle?	<p>1. Yes, 2. No, 3. No, 4. No, However, at some point there's just not enough money to go around</p>
Character: How does the decision reflect on one's personal virtues?	<p>1. Well, 2, 3, 4. Poorly</p>
Situation and relations: How does this apply situational knowledge and balance personal and relational responsibilities?	<p>Same as 5</p>
Ethical codes: Does this comply with professional/institutional codes of ethics?	<p>Same as 5 & 6</p>
Passed the test?	<p>1. Yes 2, 3, 4. No</p>

Introduction of Model in a Doctoral Class

- Implications expressed by one student:

“Adding an ethics component to as many courses in the program as possible would be good. With the presentation of the model, I found myself drawn into a great deal of thought about the overarching concepts of ethics and values. If I had been considering these on a broad level throughout the program, I would have been more prepared to go right to work.”

Teaching Goals

- Develop ethical sensitivity
- Improve reasoning capacity
- Develop moral responsibility
- Ability to tolerate ambiguity

Components of Ethical Decision Making & Professional Practice

- Principle Ethics
- Virtue Ethics
- Aspirational Ethics
- Professional Code of Ethics for Rehabilitation Counselors
- Legal statutes
- Morals/Values
- Organizational policies & practices
- Supervision/Consultation

Discernment of an Ethical Dilemma

- Not all situations constitute an ethical dilemma
 1. Two courses of action
 2. Significant consequences
 3. Ethical principle(s) will be supported
 4. Ethical principle(s) will be compromised

Examples of Ethical Dilemmas

- Client choice vs. maximizing service system opportunities
- Boundaries vs. building client/counselor relationship
- Client needs vs. meeting agency goals
- Supervisory expectations vs. competence

Introduction to Ethical Decision Making

- Presented with Beth and Tony scenario
 - Characteristics of an ethical dilemma
 - “Does this situation constitute an ethical dilemma?”
 - Religion as taboo juxtaposed with rehabilitation counseling philosophy (e.g., holistic view)
 - “So, what next?”
 - Student comment
 - “Before I would have said definitely not, but now, I don’t know...”

- Step 1: Problem (issue): write a clear, succinct statement of the problem.
 - Examples: Not sure if counselor should pray with Tony or not; “How much is too much to disclose?”
- Step 2: Objective: what is the objective in addressing the problem?
 - Example: Resolve (amicably)

Planned Application of Oliver & Hioco Model

- Ethics Activity
 - Later in the semester
 - Modification of existing scenarios
 - Problem-based learning
 - Socratic question and answer dialogue
 - Appreciative Inquiry

Introduction of Model in a Special Education, Teacher Education Class

Sped 219: Home, School, and Community Collaboration

- Taken by early-service teachers to clear their Education Specialist credential
- Focus on supporting *critical reflection* by early-service teachers
- Current/past pedagogy includes: online discussion/responses to prompts related to jointly-read classroom ethnography, quick-writes in response to video-clips, and reflection on use of course content
- Adoption of "reconstructing" work (Danforth & Smith, 2005) this semester, in addition to ethics content

"...there are some situations in life which require ethical judgment and reasoning where we fail to employ an adequate justification and undervalue the ethical dimension involved."

Prescott, 2007, pp. 18.

Portions of the *Ethical Decision-Making Worksheet* introduced in Sped219

Step 1: Write a clear, succinct statement of the problem (issue).

**teaching decisions vs. ethical dilemmas; issues of "reframing;" ethical dilemmas that have multiple stakeholders*

Step 2: What is the objective in addressing the problem?

**power, hierarchical structures, and varying objectives based on stakeholder*

Step 1: Write a clear and succinct statement of the problem: ***decision-making in teaching VS. ethical dilemmas***

"I'd been implementing the behavior management plan just fine, but then my student stopped complying and the plan was not working anymore."

Step 1: Write a clear and succinct statement of the problem: ***Problems that required re-framing***

"Is it appropriate to restrain a student who seems aggressive even though we haven't been trained?"

"Is use of restraint as a go-to practice ethical?"

Step 1: Write a clear and succinct statement of the problem: ***ethical dilemmas that have multiple stakeholders***

"Is it okay for low-performing students and students with IEPs to spend their afternoons in literacy and math remediation, without science, social science, electives, or PE?"

Tensions that arose through early work with ethical decision-making model:

- Conflation of professional conduct vs. professional ethics
- Little or no idea about codes of ethics specific to teaching, to special education, or to school districts
- Not valuing the process because of discomfort with articulating problems and wanting fast/easy answers
- Pressure of first few years of teaching and feelings of powerlessness also seemed to decrease buy-in

Possible addition to Oliver & Hicoco's (in-press) ethical decision-making framework:

Dewey's notion of pragmatism, as used by Danforth (2006):

"Pragmatism frames disability researchers and theorists not as specialists in describing social activity accurately but as possible sources of social hope and moral imagination."

Potential ethical test:

Does the decision provide opportunity for "rich and full modes of living" for those whom it is made about/for?