

Ethical standards and the conflict in schools



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Educators function as a member of a team and have a special relationship with students, parents, other school personnel, and the community. The quality of these relationships depends not only on the work performed, but also on the ethical behavior demonstrated on the job. Educators are faced with ethical issues on a daily basis, including confidentiality, record management, and the demands placed upon them with the responsibility of teaching students and managing a classroom.

Educators often face situations where their own interests, a student's interest, or the school's interest may conflict. Ethical standards help us to become more aware of the correct course of action with regard to a variety of perspectives rather than our own. Educators are obligated to be as fully prepared as possible to function ethically, as well as legally, in the school environment at all times. Ethical standards provide a framework for reflecting on appropriate behavior. For this assignment, I have researched four articles that address legal and ethical implications on classroom management in regards to the rights and responsibilities of students, parents, and teachers. I will reflect, identify, and summarize each article. Finally, I will conclude with how these articles have made a difference in how I will manage my classroom.

Article 1

The article that I began with is Public school Law: Teachers' and student's rights by Martha McCarthy. McCarthy discusses the legal rights of the teacher and the student. The Negligent Tort Law shows that teachers may be considered liable if he or she could have " foreseen and prevented injury by

exercising proper care” (McCarthy, Cambron-McCabe, 1992). The first element of the Negligent Tort Law states that the duty to protect is the responsibility of the teacher – this duty includes all necessary precautions to protect students that are under their supervision (McCarthy, Cambron-McCabe, 1992). Subsequently, if a student injury could have been anticipated or foreseeable by the teacher and they did not provide reasonable supervision of the incident, then, negligence on the teacher’s behalf has occurred (McCarthy, Cambron-McCabe, 1992). Yet, if a student’s action or result of a student’s poor choices contributed to the injury, then the incident itself is considered contributory negligence, and the teacher is no longer liable (McCarthy, Cambron-McCabe, 1992).

In finding negligence on a teacher’s behalf, one must consider the mature and developmentally appropriate behavior. There are many factors that have to be taken into consideration overall when a negligent claim is filed. Some of such factors are the teacher’s certification, the teacher’s training, the environment in which the injury occurred, the instructional activity, and the maintenance of the equipment (McCarthy, Cambron-McCabe, 1992). How the law is stated and the mandatory duty of care can be very intimidating to many teachers and educational professionals. Moreover, because of such intimidation of the Negligent Tort Law, school districts and unions have mandated specific regulations, along with policies and procedures to prevent such potential incidents from occurring (McCarthy, Cambron-McCabe, 1992).

It could be fair to say that overall, teachers have the responsibility to protect their students, and the students have the right to be protected while in care of the school. However, when can a teacher’s responsibility take precedence

over a student's individual rights? Hypothetically, a scenario may involve a student, whether intentional or non-intentional, putting another student's health or safety in danger. The teacher must look at the welfare of the conglomerate of students and has the right and responsibility to remove the one student who is jeopardizing the welfare of the class from the activity/classroom, or environment to ensure the well-being of the rest of the class. Some could argue that excluding or removing the student is in direct violation of his/her individual rights. The teacher's main responsibility of reasonable care could have been jeopardized due to that student's actions as well.

Article 2

The second article, *Response and Responsibility in the Classroom* by Edgar Baguio discusses responsibilities of students within the classroom. Although Baguio introduces the idea of response of the student, which entails how a student reacts to a teacher's classroom management system, responsibility (Baguio, 2008). Responsibility defines the student's job of following policies and procedures in the classroom (Baguio, 2008). Baguio further discusses that an effective classroom consists of not just a teacher, but of students who follow through with the classroom responsibilities (Baguio, 2008). He believes that both parties must do their responsibilities so it is easier to rely and trust one another (Baguio, 2008). The classroom management system becomes less of an issue when trust is established.

Article 3

The article Parent-Teacher Conferencing, by Joseph C. Rotter, Edward H. Robinson III, and Mary Ann Fey, discusses the importance of communication between teachers and parents. It is expressed that there is a significant need for effective parent-teacher conferencing is the “legitimate right of parent to have a voice in the education of their child” (Rotter et al, pg. 7, 1987). Over the years, parents have been increasingly more interested in their children’s daily educational activities. Communication is the key. “When teachers and parents view the educational process as a collaborative effort, the parent-teacher conference becomes a key instructional strategy that will enhance the child’s growth and promote more effective learning” (Rotter et al, pg. 8, 1987).

The article also addresses the different changes that affect teacher and parent relationships. The primary concern is the change of the family structure and dynamics. The traditional family has changed to being blended, having single parents, or having same sex parents. Because of the obvious changes, parents and teachers no longer share common experiences (Rotter et al, 1987). A chance to have daily interaction has created an obvious wedge between teachers and parents. The question is how to fill that gap.

Communication is the key to creating solid relations between teachers and parents. Having parent-teacher conferences allows for the most direct form of communication that can be the most meaningful link between home and school for the student (Rotter et al, 1987). However, the form of communication is an important factor. According to Rotter et al, as an educator, having warmth, empathy, respect, concreteness, genuineness,
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immediacy, and confrontation are important qualities to have, but also knowing how and when to portray such qualities are prerequisites for effective communication (Rotter et al, 1987).

Article 4

Sarah Ganly wrote Rights and Responsibilities of a Teacher and a Student. Ganly addresses teacher responsibility within the classroom and the rights of the students (Ganly, 2007). Student safety is one of the most important responsibilities of the teacher (Ganly, 2007). However, what is different with this particular article in comparison to the others is that the parent's rights are addressed. Galley's article addresses that parents have the right to send their children to school knowing that their child will be safe while in the care of the school and its teachers (Ganly, 2007). Teacher's liability and accountability are examined within this article. The example of such is that, the law states that teachers are " held liable for a student's welfare if harm is foreseeable" (Ganly, 2007). Every situation must be viewed individually, and if any, extenuating circumstances must be taken into account too.

When learning activities are off premises, the teacher's rights and responsibilities should not be taken lightly. Although, there are many policies and procedures that go into preparation of field trips, the students level of safety should always be examined and be the first priority of teachers and schools. It is a teacher's responsibility to ensure the safety and well-being of each student on a field trip. In order for the teacher to maintain overall safety for the students, they may have to be forced to infringe upon a student's individual rights. This situation within itself can be considered "

gray matter” and circumstances have to be analyzed appropriately without assumptions. Because of the many cases of negligence and inappropriate behavior happening with schools across the nation, the rights and responsibilities of students and teachers has been a hot controversial issue. There seems to be a significant amount of failure of acknowledgement of the direct relationship between student’s rights and teacher’s responsibilities.

Conclusion

I feel confident that my method of classroom management is very appropriate. It is a cross between Wong’s Pragmatic Classroom Model and Kagan, Kyle, and Scott’s Win-Win Discipline Model. I believe it is the educator’s responsibility to teach students how to self-monitor their own behavior and hold them accountable. The ultimate goals I have for my students is to be able to manage themselves appropriately, to be able to meet their needs through responsible choices, and to be able to develop life skills that will serve them into the future. The mix approach of Wong, Kagan, Kyle, and Scott works well for me to encourage students to take ownership of their learning experience and overall success. Utilizing both Wong’s Pragmatic Classroom Model and the Win-Win Discipline Model allows me to hold the students responsible for their own behavior, learning and success, they both hold the teacher responsible to working hard to maintain a safe, positive classroom environment that helps student work to achieve personal goals.