

**MPEA – Standard V Case Study**  
**Superintendent**  
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**SMSU**

***“Ethics and Achieving Results”***

As a superintendent in a small school district, you pride your self in knowing your people and getting the best they have to give for the district students. But can you know too much? You never thought so, until today.

Frank has been with you nearly as long as you have been in the district yourself, almost twenty years. You hired him as a young science teacher from an adjoining state when science teachers were hard to get and good science teachers were impossible to get. And make no mistake about it, Frank was a good one. From the start Frank brought innovation, enthusiasm and professionalism to the staff and science test scores responded immediately. For a small school, heck, for any school size, your science department is the envy of the state. High test scores, science scholarships to major universities, science contest winners, state awards have come to define your science department and the community is proud of the reputation that has been cultivated. You have it all and the main reason is Frank.

Of course you take some of the credit, after all, you hired him and gave him the support and guidance necessary to make it possible; but you thank your lucky stars for Frank. A wonderful teacher and a good friend, Frank has helped you out of some tough spots personally and professionally. He was there when your father passed away, giving you encouragement. He was also there when the “creationists” were going nuts in the community offering his science expertise and ultimately his common sense approach to science education to forge a win-win situation. And not once did he “call in favors” or make demands. He always worked within the context of the total school rather than kingdom building, always working for the good of the student and for people in general. Frank is the ideal educator; hard-working, unassuming, well-respected and well-liked by everyone in the district and a proven result getter. That’s what makes your deliberations so painful.

It all started at the district science fair over the weekend. The fair is a multi-state event and the pride of community. As you were making your obligatory PR rounds of the exhibits, a young teacher from another state stopped you and asked to speak with you privately. This has happened before and you expected the usual gratitude and wonderment at the magnitude and grandeur of the fair, but nothing could have prepared you for the bombshell that the teacher dropped on you. The story went,

“I thought I recognized Frank’s name when we entered the competition but really didn’t think much about it until I saw his face. I knew for sure it was him then. I know of Frank through what he did with my brother Bill twenty five years ago. Do you know what kind of person you have working for you? He’s a pervert. He molested my brother and basically got away with it because he was a minor. They reduced the charges as part of a plea bargain and expunged his records when he hit adulthood, but he still did it. I don’t think he should be around children as the superintendent, I just thought you, as the superintendent, ought to know who you had working for you.”

You diplomatically thanked the person for the information and said you would check into it. You then set up an appointment to speak with Frank on Monday.

Frank listened to the story and then affirmed that it was basically true. He had been involved in a regrettable situation as a 15 year-old with a 12 year old friend. It had been an exploration into the sexual world by two children who did not know the meaning of their actions. He was sorry that it had ever happened and he had gone through the therapy and the probation that the juvenile courts had demanded and his record had been cleared.

Frank's contract specifically asked if he had ever been convicted of a crime and he had answered "No". When you asked Frank about this, he stated that he thought that clause pertained to adult crimes not juvenile actions. "Juveniles, by definition, can not commit crimes, right?" You said you weren't sure and that you would have to check on the legalities. The meeting adjourned with Frank shaken and you with a sick feeling in your stomach.

Juvenile or not, one time offender or not, you have a teacher that has by his own admission committed a sex crime. Right now, you, Frank and an out-of-state teacher are the only people who know it. Frank is the best teacher you have and has been for twenty years, but he hugs kids a lot and takes students on over night camp-outs and week-end trips to museums. What should the parents be made aware of? What should you do?

First consider these questions:

1. Do you drop this now? Is the investigation over? Where should you check next?
2. Does Frank's action of two decades ago create a moral issue today?
3. What does the law say about hiring someone with a juvenile past?
4. What is your legal responsibility? Your ethical responsibility?
5. The job application (which Frank indicated in the negative) for your district states, that "you have never knowingly committed a crime or any actions that go against the community standards of morality. Has Frank been ethical or legal in his actions in regard to the contract?
6. Is the contract clause an issue in this case?
7. What effect will the handling of this issue have on your job?
8. Who needs to know about this?
9. Who can you trust to discuss this matter with? Friends, family, co-workers, lawyers?
10. What will the community reaction be if the information concerning Frank is made public? Would it be different if they found out without the school coming forward with the information first?
11. What kind of community issues do you see arising? Does potential community reaction necessarily affect your decisions?

Now, develop recommendations including:

- A list of legal issues which might affect situation
- A list of ethical issues that might affect the situation.

- A list of the pluses and minuses of all possible actions.

A plan of action including:

- Who the superintendent should contact to discuss the matter.
- A timeline of actions to be taken to bring this case to successful closure.

ISLLC Standards:

Primary standard:

Standard five: **A school administrator is an educational leader who promotes the success of all students by acting with integrity, fairness, and in an ethical manner.**

Secondary Standard:

Standard two: **A school administrator is an educational leader who promotes the success of all students by advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth.**

Standard five skills, dispositions and performances:

Skills:

- various ethical frameworks and perspectives on ethics
- professional codes of ethics

Dispositions:

- bringing ethical principles to the decision-making process
- subordinating one's own interest to the good of the school community
- accepting the consequences for upholding one's principles and actions
- development of a caring school community.

Performances:

- examines personal and professional values
- demonstrates a personal and professional code of ethics
- considers the impact of one's administrative practices on others
- treats people fairly, equitably, and with dignity and respect
- protects the rights and confidentiality of students and staff
- fulfills legal and contractual obligations

Critical Needs Areas Addressed:

- #5 Providing information, which will assist public school administrators and teachers in understanding the process of [site-based] decision making.

Notes to Instructor:

1. This case study is one that can be used to determine students' entry level skills in professional ethics, law or human relations. It could be used as an exit exercise to a law-ethics lesson. If so, you might want to have students apply specific legal or ethical frameworks that you have introduced.
2. Make sure the students reflect upon the superintendent's set of circumstances and, at least for a while, avoid reflecting on what "they would do". This will avoid the sometimes "holier than thou" mentality people have about their own behavior.
3. Stress the friendship angle of this scenario and how the friendship impacts the decision-making process
4. The activity should take around 60 minutes.

Extended learnings:

1. Have the students address specific human relations issues related to creating caring communities or addressing confidentiality.
2. Many states speak of "zero tolerance" for sex offenders in the classroom. If you were in a state or community like this, how would that affect the way you do business?
3. Change the circumstances from juvenile to adult and analyze the case from that standpoint. Does it change the perspective? The law?

URLs:

1. Centre for the Study of Values and Leadership - Centre is devoted to the support, promotion and dissemination of theory and research on values and leadership. Has a good list of resources on ethics.  
<http://www.oise.utoronto.ca/~pbegley/>
2. Georgia Professional Standards Commission – Provides a Code of Ethics for Educators defining professional behavior for Georgia and serving as a guide to ethical conduct. The Professional Standards Commission has adopted standards which represent the conduct generally accepted by the education profession. <http://www.gapsc.com/Professionalpractices/nethics.asp>
3. The Rural School and Community Trust – A non-profit that offers articles and suggestions on community building and numerous other related topics.  
<http://ruraledu.org/>
4. Success link – Includes a "best practices" section which addresses conflict resolution, school character development and other programs that might assist in this case. <http://www.successlink.org/>

5. FindLaw – A site that contains numerous links to case law at several judicial levels. <http://public.findlaw.com/>

Topics that students should be able to use or address:

- Ethical Frameworks
- Professionalism and Staff Relations
- Change Processes
- Human Relations
- School Climate
- Communications Skills

<b>The administrator has knowledge and understanding of:</b>	<b>Level One</b>	<b>Level Two</b>	<b>Level Three</b>
Ethics various ethical frameworks and perspectives on ethics professional codes of ethics	Sees situation only from pragmatic view – getting results	Recognizes ethical issues but still uses the situation to accomplish organizational goals	Recognizes ethical issues and acts in a way that preserves integrity of profession and dignity of the person.
Displays Acceptable Dispositions: <ul style="list-style-type: none"> <li>• bringing ethical principles to the decision-making process</li> <li>• subordinating one's own interest to the good of the school community</li> <li>• accepting the consequences for upholding one's principles and actions</li> <li>• development of a caring school community.</li> </ul>	Attitude and beliefs manifest a "Me first" tone.	Attitude and beliefs are slanted toward self interests though actions may reflect ethical treatment of others	Behaviors reflect an attitude and belief that confidentiality and the dignity of others is paramount in the decision-making process,

			regardless of potential consequences.
examines personal and professional values	Fails to consider their own beliefs as they encounter the scenario solution	Considers their own beliefs and values as they encounter the scenario solution.	Scenario actions mirror the personal beliefs and values. There is no double standard.
demonstrates a personal and professional code of ethics	Sees situation only from pragmatic view – getting the job done	Recognizes ethical issues but still uses the situation to accomplish organizational goals	Recognizes ethical issues and acts in a way that preserves integrity of profession and the dignity of the person.
considers the impact of one's administrative practices on others	Fails to consider the impact of their actions in the scenario solution	Considers the impact of their actions in the scenario solution but does not let the impact affect their behavior.	Considers the impact of their actions in the scenario solution and alters behavior to maintain ethical considerations.
treats people fairly, equitably, and with dignity and respect	Acts in own self interest. Ignores the good of the larger community.	Acts for the good of the people but inserts qualifications or conditions.	Acts for the good of the people without qualifications or conditions.
protects the rights and confidentiality of students and staff	Does not consider confidentiality in the scenario solution.	Considers confidentiality but exhibits behavior that makes confidentiality as conditional.	Considers confidentiality as an absolute right of the person and predicates actions upon this belief.
fulfills legal and contractual obligations	Does not consider the contract as a	Sees the contract as only an	Sees the contract as a document that

	significant part of the issue.	insignificant portion of the issue	establishes the bedrock of a professional relationship between employee and the organization.
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