

Whose Code Is It Anyway? Code of Conduct vs. Code of Ethics



By *Cheryl L. Reinhart*

Director of the Arkansas Professional Licensure Standards Board

As the song goes, “You who are on the road, must have a code that you can live by, and so become yourself.”ⁱ Over the past century, public school educators have been on a road leading to a professional identity. Until very recently, the profession has not provided a code for them to live by.ⁱⁱ States fill that void with “codes of ethics” for educators.ⁱⁱⁱ Their standards delineate conduct that must not be violated. The codes serve a dual role: protecting vulnerable students, while instituting a base level of professional conduct. For the reasons discussed below, these codes are more accurately termed “codes of conduct.”

This year, a national committee of educators formed by the National Association of State Directors of Teacher Education and Certification (NASDTEC) developed the **Model Code of Ethics for Educators** (MCEE).^{iv} The MCEE provides a set of five principles and performance-based indicators for each principle to guide ethical decision making by educators.

The distinction between a state code of conduct (however named) and a profession’s code of ethics is more than semantic. A state code of conduct defines the bottom limit of acceptable behavior in the public’s eye. It is punitive. “Thou shalt not” violate a standard of professional conduct without suffering a consequence. While the standards of conduct may be similar from state to state, they do not represent the whole profession.

By contrast, **a code of ethics is the professional community’s own ethos; it contains foundational principles that each member practices. A code of ethics shapes the expectations of everyone within the professional community and is self-regulatory.** By informing professional **thinking** and **decision making**, a code of ethics leads to a higher level of professional behavior than a code of conduct.

An example: An educator learns that the student’s home life is depressing the student, causing difficulties at school. The educator provides hugs and comfort — at first — then begins texting, allows personal interactions and ultimately engages in conduct that crosses boundaries. A code of conduct will prohibit and punish inappropriate contact between an educator and a student. It may sanction the end violation, but what about the decisions leading to the offense? A code of ethics helps the educator decide how to maintain an appropriate professional distance so that he or she avoids stepping onto a slippery slope. It informs the educator’s understanding of actions that can injure the student versus actions that provide lasting professional guidance. Further, a code of ethics enables the professional community to provide support for the educator’s ethical decision-making process.

States play an important role in establishing behavioral limits. But a professional code of ethics may well be the defining factor in establishing the profession’s identity for the future. For those on the education profession road, it is a code they “can live by.”

ⁱ“Teach Your Children,” Nash, Graham, on the album “Crosby, Stills & Nash” (Atlantic Records, 1969).

ⁱⁱAs quoted in NASDTEC’s PowerPoint® for the June 2015 MCEE press release, “Doctors, lawyers, and clergymen have their ethical codes, but teachers can scarcely be said to have such a code. Until they have developed a professional spirit which is characterized by loyalty to the recognized standards, they cannot rank with the learned professions” (Ontario Minister of Education, 1915). Cited by Campbell, E. [2000], Professional ethics in teaching: toward the development of a code of practice. (*Cambridge Journal of Education*, Vol. 30, No. 1). Found at https://nasdtec.site-ym.com/?page=MCEE_DOCS.

ⁱⁱⁱArkansas established its Code of Ethics in 2008. See Ark. Code Ann. §§ 6-17-422 and 6-17-428.

^{iv}See https://nasdtec.site-ym.com/?page=MCEE_DOCS.