

## Ethics in Correctional Education

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**Abstract:** Ethics has been researched in corrections and education separately; however, there has been limited research related to the dialogue in correctional education. This paper defines the state of ethics in correctional education, identify the function of ethical dilemmas for correctional educators, and suggest a method for resolving dilemmas.

There is no formal code of ethics for correctional educators. Ethics for educators is unlike the extensive dialogue of ethics, which occurs in criminal justice. Ethics is often taught during criminal justice or corrections preparation programs, university coursework, or delineated by the certifying/regulating body. Correctional educators are not required to be certified by any specific regulating agency. While some facilities may require a state teaching certificate, not all have this as a standard. The cross disciplinary nature of their work requires that they pull from corrections and education regulations when determining propriety. Corrections and education have very different purposes; therefore, their goals and desired outcomes also vary. This difference in purpose can create conflict when the two fields are together and education is occurring in a correctional setting. It is important to have an ethical organization in order to have ethical employees, whether they are teachers or officers; however, does that mean there has to be one explicit code of ethics in order for members to behave ethically? The purpose of this paper is to explain the role of ethics in the field of corrections education. This paper will begin by providing general definitions of adult and correctional education settings. Then define the state of ethics in correctional education, examine the views on codes of ethics, identify the role that ethical dilemmas serve in the careers of correctional educators and establish a method for resolving ethical dilemmas. The paper will conclude with a brief overview of moral judgment and awareness that every correctional educator will be faced with an ethical dilemma sometime during his or her working career and provide a model for resolving dilemmas.

The drama of public scandals, unethical practice, and accusations has practically become common place in industries, such as banking, politics, and for-profit organizations. Professionals, such as police officers, teachers, lawyers, and doctors, have a great responsibility to society to do their jobs ethically. The Principles of Public Service Ethics (2005) emphasized that public servants, such as law enforcement officers and educators, should treat their office as a public trust. Public servants should also honor the spirit of democracy and set a positive example of good citizenship by observing the laws, rules, and regulations. Most criminal justice professionals are public servants, including correctional educators; accordingly, they are held to the standards as such (Pollock, 2010). Essential to this trust is an expectation that any ethical issues involving educators will be dealt with in a manner that promotes the benefit of all stakeholders. To many people ethics has come to mean the definition of specific behaviors as right and wrong within profession. Professional ethics is a more explicit type of applied ethics relating to the behavior of certain groups or professions (Powell, 2002). Professional ethics related to the field of adult education, and specifically correctional education, is the primary ethical focus of this paper.

Adult education is defined by Merriam and Brockett (1997) as activities intentionally designed for the purpose of bringing about learning among those whose age, social roles, or self-perception define them as adults. Adult education occurs in a variety of settings. Correctional facilities can serve as the context for adult education. Under the broad heading of the profession, an adult educator would be the subcategory of correctional educator. A correctional educator is a person who teaches/instructs General Educational Development (GED®), adult basic education, career and technical, betterment programs or any courses in a correctional setting- jail, prison, work camp, juvenile detention setting. There is no standard educational requirement or certification required to be an educator in a correctional facility. According to Thomas and Thomas (2008), some of the common sources for teacher and administrators in correctional settings are:

- Retired public and private K-12 teachers.
- Individuals seeking traditional teaching positions but unable to find them, so they accept a correctional education position.
- People who have served as jail/prison guards, clerical staff or some other capacity that have moved into teaching or administration.
- Those teacher/education graduates who choose to work in a correctional education program. (p. 36)

Teachers in jails and prisons often come from diverse backgrounds; therefore, unlike other professionals, they do not have the benefit of a systematic structured training or preparation system. Over half of those incarcerated will participate in some type of educational program, placing them in the responsibility of a correctional educator. A significant difference between adult or correctional educators and K-12 educators is the concerns with student progress and outside assessment (Macfarlane, 2004). The focus of adult education is usually dictated by the students' needs versus a state regulating agency. Adult education has more flexibility; this benefit can lead to ethical dilemmas.

### **Ethical Systems and Educational Theories**

Ethical systems provide a foundation for beliefs and the premises from which people make judgments. Several ethical systems are applicable to the education field. Some elements of ethical formalism, utilitarianism and ethics of care align with the theories of adult education. An ideal correctional education code of ethics would incorporate the practical elements of those ethical systems, along with the functions of adult education. The typologies of adult education include informational, self-realization, occupational, recreational, and political (Merriam & Brockett, 1997). With the wide variety of goals and purposes for adult education, it is clear that there is no one theoretical framework or ethical system that can dictate how to resolve all dilemmas, which may arise in the varieties of settings; however, when the setting is limited to correctional facilities, there is a greater possibility of consensus of ethical behavior.

Ethical formalism is concerned with the motive or the intent of the actor (Powell, 2010). For example, if the actor or correctional educator had good intentions but resulted in problematic results, it would still be ethical because the motives or intentions were good. There are several instances in a correctional classroom setting where good intentions may lead to unethical behaviors. This is problematic and demonstrates the limitations of ethical formalism. Utilitarianism ethical systems are prevalent in educational settings where the purpose is to maximize the benefit for all stakeholders involved, which can include instructors, students, and society. Some of the basic tenets of adult education theory are self-directedness and enhancement of personal growth. These theoretical underpinnings are contradictory to the basis

of utilitarianism, which has little concern for the individual and is more concerned with the good of many (Powell, 2010). This type of opposition in personal beliefs, or possibly conflicts in the two fields of education and corrections, can lead to predicaments which may be readily resolved by an explicit code of ethics.

The ethics of care ethical system emphasizes human relationships and needs. The basis for the system is compassion and concern with individual rights. The system is less based on rules and more guided by emotional inclinations and specific needs (Powell, 2010). This system works well for education in general, outside of the context of a correctional setting, but it can create dilemmas if applied in a correctional education situation. Students/inmates should be treated with respect and in a humane manner. The ethics of care system does support the rehabilitative nature of education in a correctional setting; however, the modes of connectedness and partiality are not appropriate. The correctional setting requires specific rules and formal structures to maintain order and control.

### **Dimensions of Ethical Practice**

#### **Codes and Standards**

It is common practice for businesses and industries to have established codes of ethics. Developing and enforcing a code of ethics has long been considered a hallmark of self-regulating professions (Sork, 2009). The codes of ethics from the various professional societies, regardless of the field, have some interesting similarities. Primarily, various codes of ethics stress the same major principle, obligation to the public good or society. These ethical standards serve several purposes for the organizations, including educating, providing guidance, and preventing breaking of the law. A code of ethics can protect the credibility of agencies, business and fields of practice by ensuring high standards of honesty, integrity, and professional conduct of the members, agents, or employees.

American Correctional Association (ACA) is the largest correctional association in the world and they serve all disciplines within the corrections profession. ACA provides the standards and accreditation for all fields and aspects within correctional facilities. The code of ethics established by ACA outlines 17 principles for the members. ACA does not limit members to those in security or corrections, but includes all who work at the facility. The ACA (1994) states, "The American Correctional Association expects of its members unfailing honesty, respect for the dignity and individuality of human beings and a commitment to professional and compassionate service" (ACA Code Of Ethics, para.1). As to be expected of such a large accrediting agency, they have a committee dedicated to ethics concerns and set the ethical standards for corrections.

Many different types of professional associations serve adult education; some are general education associations and others are specific to adults. There are several national organizations, such as American Association for Adult Education, American Association for Adult and Continuing Education, and American Society for Training and Development. Corrections Education Association is a national organization which focuses on the need of correctional educators. Among all of these groups there has not been a consensus to develop a code of ethics for the adult education field. In 1984, the Council on Continuing Education Unit developed a set of principles aimed at promoting good practice, but it was not specifically aimed at ethical issues. In the early 1990s The Commission of Professors of Adult Education developed Standards for Graduate Programs in Adult Education, which also did not address ethical decision making. ProLiteracy Worldwide, a volunteer literacy organization, which also functions in many correctional facilities, has quality standards but no explicit code of ethics (Brockett & Heimstra,

2004). There are various segments of the adult education field which have acknowledged a need for standards and principles, but have not been able to create Ethical Codes.

In adult education several researchers (Brockett & Heimstra 2004; Gordon & Sork 2011; McDonald & Wood, 1993; Merriam & Brockett 1997; Sork & Welock 1992) have argued for an adult education code of ethics, citing the following benefits:

- a. A code would steer educators away from “ethically hazardous practices”.
- b. A code would contribute to policymaking within adult education agencies.
- c. A code would provide limited protection from unethical practice for adult learners.
- d. A code could be used in professional development of educators by communicating shared values.
- e. A code would make the moral dimension of the practice more visible.
- f. A code can be used by adult education agencies to differentiate themselves from those providers who do not subscribe to a code.
- g. A code is an essential element of professionalizing.
- h. A code promotes a sense of unity and cohesiveness
- i. A code heightens awareness of the importance of ethics (Merriam & Brockett, p. 280-281)

This list is by no means exhaustive of the elements that should be covered by a code of ethics. This feeds into one of the major debates on developing a code of ethics in adult education, namely the impossibility of developing a meaningful code that is broadly acceptable, relevant, and enforceable given the diversity of the field (Gordon & Sork, 2011). This same argument, stating that a universal code of ethics is impractical, could be used to support a code for correctional educators, which is a very specific segment of adult education.

### **Ethical Dilemmas**

Ethical dilemmas are situations in which one person must make a decision about what to do. The choice may be unclear as to what to do or the right choice may be difficult because of the cost involved. Ethical dilemmas cause one to struggle with personal decision making (Powell, 2010). These types of situations rarely lend themselves to neat and easy solutions. A part of being an exceptional professional is the ability to seek to do the best in complex circumstances and exercise good judgment. Possessing the autonomy to do so is essential to the nature of professionalism (Macfarlane, 2004). Codes of ethics provide some moral guidance, but they are not the final answer in ethical dilemmas. These dilemmas often have more than one solution and no right answer.

Johns, McGrath, and Mathur (2008) outline instances when people opt for borderline ethical practices; this includes contradictory information, different points of view, overemphasis on compliance, and limited information to make a good decision. Dilemmas in educational settings often arise when teachers are unsure about information due to contradictory information. This can be the case as well in correctional settings where security and control concerns do not align with the instructional requirements. Educators may also receive contradictory information from the local leadership, director or principal, which is different from the regional or district information. Having different points of view and a lack of consistent direction can create situations where the educator is in an ethical dilemma. Educators are often permitted flexibility with decision making related to the functions in their own class. This flexibility may cross a line into unethical practices. Standardized testing and other mandatory compliance actions can put pressure on educators to meet standards. An overemphasis on compliance can lead to ethical dilemmas, meaning that people may lose focus on the propriety of their actions because they are

overly concerned with complying with a regulation, such as meeting minimum scores on state testing. Rogensues (2006) emphasized how scarce resources, limited time and curriculums based on what is good for the school, not necessarily what would benefit the student, can lead to ethical dilemmas. Teachers may be asked to instruct the class on a curriculum they disagree with, based on religious, political or moral beliefs and this is also can create an ethical dilemma.

Ethics can be a perplexing issue because what is unethical is not always illegal or explicit. This is why awareness and a code would be beneficial to the field of correctional education. There are some ethical misconceptions that make dilemmas even more complex. Some people view ethics, especially if there is not a clear code, as only a personal opinion or belief. There is also the line of thought that subscribes to the fact that if it is legal it is ethical. Ethics however goes beyond just doing what is legal. Changing the date on reports or misrepresenting how much time students spend on work may not be illegal, unless it is submitted to a state agency, but it is unethical. An educator may follow the letter of the law and still behave in an unethical manner (Johns et al., 2008). Lastly some view a behavior as acceptable if it is not specifically forbidden.

### **Morality and Ethical Decision Making**

Ethical judgments and decisions are made by educators in scholastic settings on a regular basis. These judgments can be related to policy, students, other colleagues, regulations, or personal affairs that spill into the workplace. All of these judgments do not involve morality. Morals and morality refer to what is judged as good conduct (Powell, 2010). Not all immoral conduct is unethical. In order to help ascertain if an act can be judged an ethical Powell (2010) insist that four elements be present: (a) an act that is (b) committed by a human (c) of free will (d) that affects others. Based on the particular ethical belief system a person will judge the decision making of themselves or others differently. Moral judgments can be made by using an established ethical decision making model.

### **Ethical Decision Model**

A code of ethics helps in decision making processes. Adopting a code of ethics does not provide simple rules for ethical decision making. The process remains complex and a course of action cannot be prescribed for every given circumstance (Macfarlane, 2004). If a set code of ethics for adult education or correctional education cannot be established, a possible resolution to ethical dilemmas could be a model to be used in a broader context. One strategy for analyzing and evaluating ethical dilemmas is the use of a model, such as the model for ethical decision making proposed by Brockett and Heimstra (2004).



Figure1- A model for ethical decision making. *Toward Ethical Practice* by R.G. Brockett & R. Hiemstra (2004).

This model was presented as a process for helping to make ethical decisions. The usefulness of this model stems from the second step, which requires reflection and evaluation of values-

personal or those of the organization. This guides adult educators to ask some basic questions about key ethical practice.

Essentially the EDM model is founded on the idea that in responding to an ethical dilemma, three elements need to be considered: (1) personal values; (2) awareness of where obligation lies; and (3) and understanding of possible responses to a dilemma and the corresponding consequences of any decisions. . . . It is important to emphasize the EDM model is a process not a prescriptive technique. It offers a basic guide for negotiating the process of resolving ethical dilemmas and help for educators and trainers of adults to begin thinking about how they might address ethical dilemmas in their own practice. (Brockett & Heimstra, 2004, p. 15-17)

The consideration of values allows for the use of utilitarianism or ethical formalism ethical systems because they are individualized to each educator. A correctional educator who takes on a negative belief about human nature will be suspicious of the learner's motives, while a correctional educator with a positive view on human nature will promote a more learner centered environment. Neither value system is wrong nor do they both possess the solution for all dilemmas. They both have benefits in some predicaments. The second phase of the model also includes an obligation, which calls into question the dual fields a correctional educator is immersed in—security and education. Conflicting needs and obligations can result in ethical dilemmas. What is the primary obligation of a correctional educator? It is always corrections and security; however, this can conflict with obligations to the student, the education department, or fellow correctional educators. Many actions are explicitly forbidden in a correctional setting. The rewards and punishment system is very much a part of the correctional system (Thomas & Thomas, 2010); therefore, the execution of consequences is an integral part of the profession. Consequences or outcome are constantly considered. What will be the outcome? In ethical formalism the concern is more with the motives and intentions, than the outcome. Being able to assess the consequences of the decision can help focus the response.

### **Conclusion**

Ethics is as important to adult education and correctional education as it is to any other field where people are responsible for the lives of others. The adult education literature reflects concerns about ethical issues with curriculum, professionalism, technology, confidentiality, and the overall mission of adult education (McDonald & Wood, 1993; Sork & Welock 1992). The role of ethics in the field of corrections education should be of high importance because of the ability of educators to guide and be responsible for the development of students. Correctional educators have obligations to serve the student/inmate as well as to serve the institution. While there may be clear roles, they often are conflicting, causing ethical dilemmas. The state of ethics in correctional education is incomplete and lacking. The regulating agencies for adult education and correctional education have been unable to devise a standard code of ethics to help guide instructors who are placed in problematic situations. Some believe a code would help professionalize adult education, as well as serve as a guide for instructors. Conversely some believe a code of ethics is impossible because of the broad scope of adult education (Gordon & Sork, 2011; Siegel, 2000; Sork & Welock, 1992). Based upon this notion the concept of specialized codes, such as one for correctional education, seems beneficial for the field. If a code is too explicit, then a model, such as the ethical decision model (Brockett & Heimstra, 2004), should be adopted or adapted to the correctional education profession. Every correctional educator will be faced with an ethical dilemma sometime during his or her working career. It is important that correctional educators are provided with resources, such as training, a code of

ethics or even an ethical decision making model to facilitate the best outcomes and responses to dilemmas.

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