

Ethical Principles for Higher Education Administrators: A Case Study Approach

CHRISTINE K. CAVANAUGH
PATHSEEKERS II, INC.

KAREN M. LEE
UNIVERSITY OF DETROIT MERCY

JEROME L. NEUNER
CANISIUS COLLEGE

————— EDITORS —————

PUBLISHED BY



AMERICAN ASSOCIATION OF
UNIVERSITY ADMINISTRATORS

www.aaua.org

**Ethical Principles for Higher Education
Administrators: A Case Study Approach.**

Christine K. Cavanaugh, Karen M. Lee,
and Jerome L. Neuner, editors.

Copyright © 2019, by AAUA—American
Association of University Administrators.

Published by AAUA—American Association
of University Administrators, 10 Church
Road, Wallingford, Pennsylvania 19086.

ISBN 978-0-578-43608-1

Permission to reprint for academic and/or
scholarly purposes is unrestricted provided
that information regarding title, editors,
publisher, and ISBN appears on all
duplicated copies. All other rights are
reserved.

Contents

Acknowledgements _____	iii
Forward: On Ethical Principles _____	v
Introduction _____	1
The AAUA Ethical Principles _____	3
Case 1 - Research Center Director _____	5
Case 2 - Reduction in Program Entry Criteria to Over-Enroll Professional Programs _____	11
Case 3 - President/Benefactor _____	17
Case 4 - Poor Teacher with Tenure _____	21
Case 5 - Micro-Aggression among Administrators _____	27
Case 6 - Interdisciplinarity Done Wrong _____	31
Case 7 - Conflicts in Shared Governance _____	37
Case 8 – Coach _____	41
Case 9 - Free Expression vs. Cultural Sensitivity _____	45
An Interpretive Glossary _____	49
AAUA History _____	53
AAUA Board of Directors 2019-2020 _____	55

Acknowledgments

This publication was framed at a workshop on Ethical Leadership in Higher Education at the June 2018 AAUA annual meeting. Pre-seminar workshop attendees examined ethical leadership dilemmas that were anonymously submitted by AAUA members prior to the session. Attendees and AAUA Board member facilitators discussed each dilemma, generated related questions, and identified information needed to address the dilemmas. The work product from the workshop was used to frame this publication. With gratitude, AAUA thanks the following contributors to this project:

Barbara A. Auris

Montgomery County Community
College

Jacqueline Bach

Louisiana State University

Christine K. Cavanaugh

Pathseekers II, Incorporated;
Immaculata University; University of
Maryland University College

Ann M. Heath

Immaculata University

Meredith Hoch-Oescher

Gwynedd Mercy University

Chris Hubbard Jackson

St. Charles Community College

J. A. Eve Krahe

University of Phoenix

Karen M. Lee

University of Detroit Mercy

Jerome L. Neuner

Canisius College

Monica Proffitt Osborne

Montgomery County Community
College

Forward: On Ethical Principles

The challenges for a generic statement on ethics for administrators include the broad range of differing responsibilities they fulfill. Consider the president of the institution and the person who manages housekeeping or who maintains the buildings and grounds. Clearly all have requirements of honesty and integrity, but they intersect with the mission of the institution in very different ways. In addition, consider the broad range of institutional types: major state public and private institutions, mid-sized, specialized institutions, HBCUs and minority serving, public and private two-year institutions, proprietary schools, and totally online institutions. This diversity has always been a characteristic and a strength of AAUA meetings, publications, awards, and interests. It is the last surviving organization that still has concerns for all types of institutions and all manner of administrators. But this diversity further complicates the effort to write a coherent set of ethical principles that are common, effective, and foundational.

Compared to the original AAUA Statement of Rights and Responsibilities, the nine 2017 Ethical Principles for College and University Administrators represent a more communitarian perspective on doing what is right in higher education. Each statement begins with “We” rather than “The Administrator,” which makes the tone of the new document more personal. In addition, the new Principles divide into the first five statements that are focused on the character of the individual administrator and the next four statements that are courses of action. The emphasis on the individual character, regardless of the institutional position and level of responsibility, distinguishes these principles from other such statements. There is none of the high specificity of the original Statement. Instead, the Principles recognize the “gray area” of many conflicts and the ethical “blind spots” that all have. The active verbs used in the short titles of each statement are non-legalistic and almost homiletic and encouraging. We commit, uphold, strive, respect, support, seek, raise, pursue, and promote.

A reader is left with the impression that virtue in administration demands attention, continuing education, mentorship, testing against reality, and persistence. It is a work in progress, and it should be because ethical dilemmas present themselves continuously. The headlines are full of examples of the failures of academic leaders to exercise ethical judgment or even common sense. Public confidence is declining. A functional set of ethical principles might serve to restore some of the lost value.

AAUA wishes to broadly publicize the Principles and evoke discussion about them. This work contains sketches of real ethical dilemmas suggested by participants in a pre-seminar conference held in June 2018. Participants then used the Principles to analyze the dilemmas, attempting to answer a set of questions generated for that purpose. The possible

venues for these exercises include, among others, graduate classes in higher education, staff orientations and development activities, executive coaching, and board initiations. In general, the goal has been to try out these Principles in the real world and to encourage others to do so with their own real concerns.

Christine K. Cavanaugh
Karen M. Lee
Jerome L. Neuner
Editors

Introduction

Idea for This Publication. In 2017, the AAUA released its *Ethical Principles for College and University Administrators*. At the onset of the release, several AAUA Board members agreed to compile a series of higher education ethical leadership case studies and dilemmas for publication as an avenue for encouraging dialogue and conversations around these principles. This publication is the result of this initiative by the AAUA Board members.

Introduction to the Case Studies: The following cases were compiled by members of the AAUA organization. The intent is to illustrate how the AAUA standards can be applied to ethical situations that arise in higher education institutions. Higher Education administrators, faculty, and graduate students, can use these case studies as a way to responsibly discuss, respond, and disseminate these ethical standards. These scenarios are not intended to cover every possible circumstance, but instead are to provide a general outline of key principles and processes that could be considered when attempting to understand, discuss, and resolve ethical issues that align with the ethical principles developed and approved by the AAUA organization in 2017.

Resolving Ethical Dilemmas: Traditional and current controversial issues relate to image, shared governance, human resources, assessment, accreditation, compensation, campus climate, conflict management, program efficacy, unwritten policies, diversity and inclusion, social media usage, adjunct faculty, campus protests/campus unrest, athletics, Greek life, student behaviors (alcohol, drugs, violence), plagiarism, and harassment. To illustrate the application of a conceptual framework approach to addressing current ethical situations faced in higher education institutions, we use AAUA solicited case studies. This approach focuses on safeguarding the fundamental principles of integrity, objectivity, confidentiality, and professional behavior. It is important to be aware of some challenges to these fundamental concepts such as bias, self-interest, conflicts of interest, advocacy, familiarity, and possible intimidation.

Case Study Approach: Case study analysis should focus on how administrators can most benefit from utilizing the AAUA Ethical Principles. The following format is used to introduce and prompt discussion of each of the case studies: (1) A concise description of the case; (2) A chance to identify AAUA Ethical Principles that apply to the case; (3) An opportunity to discuss relevant and irrelevant considerations of the case; (4) A set of questions for discussing aspects of the case; (5) A list of possible courses of action that have ethical implications, and (6) A list of supplemental materials or references that enlighten elements of the case.

List of Case Studies: (1) Research Center Director; (2) Reduction in Program Entry Criteria to Over-Enroll Professional Programs; (3) President/Benefactor; (4) Poor Teacher with Tenure; (5) Micro-Aggression among Administrators; (6) Interdisciplinarity Done Wrong; (7) Conflicts in Shared Governance; (8) Coach; and (9) Free Expression vs. Cultural Sensitivity.

AAUA Ethical Principles for College and University Administrators

Statement adopted by AAUA—American Association of University Administrators in 2017

Copyright © 2017 by AAUA—American Association of University Administrators. Permission to reprint for academic, scholarly, or professional purposes is unrestricted provided this statement appears on all duplicated copies. All other rights are reserved.

We welcome comments; please see the AAUA website (www.aaua.org) for contact information. We encourage dissemination of this Statement, providing full acknowledgement of its source is provided.

AAUA—American Association of University Administrators provides this statement of *Ethical Principles for College and University Administrators* as a guide for generally accepted ethical behaviors in leadership of American higher education institutions. As with all similar professional ethical guidelines, it is incumbent on the individual to make reasoned and reasonable behavioral decisions that are appropriate to local circumstances. Therefore, no responsibility for any person acting or refraining to act as a result of any materials in this document is accepted by AAUA—American Association of University Administrators.

As university administrators, we are committed to doing what is right in the exercise of our professional duties and responsibilities. Embracing higher education as both a profession and vocation, we recognize that high ethical standards are critical to maintaining the public’s trust. These *Principles* describe the expectations we have for ourselves and our fellow administrators. They articulate the ideals to which we aspire and the ethical behaviors that define our profession.

By affirming these *Principles*, both individually and collectively, we hope to increase our capacity to make ethical decisions, particularly in those situations that may challenge our integrity or professional standards. We also intend for these *Principles* to stimulate a dialogue among university administrators on our shared responsibility to serve as ethical leaders, both within our institutions and throughout higher education.

Guiding Principles of Our Profession

- **We commit to the highest level of integrity.** Honest behavior is the key to establishing trust among those with whom we work. We do not make false or deceptive claims or engage in rendering statements that are misleading or incomplete. We avoid actual or apparent conflicts of interest, especially in our personal and/or professional relationships. In all we do, we take responsibility for our actions and inactions and take relevant and prompt steps to correct any mistake, omission or distortion.
- **We uphold the values of fairness and equity.** We welcome and encourage diverse perspectives and respect the dignity of all individuals. We appreciate human differences

and do not discriminate on the basis of age, culture, ethnicity, gender, ability, gender expression, race, class, religion, sexual orientation or economic status.

- **We strive for accuracy and transparency.** Information is the lifeblood of our profession. We are obligated to provide our constituents and stakeholders with information that is truthful, accurate, complete, objective, relevant, and understandable. Our information should comply with the rules and regulations of federal, state, and local governments, as well as other appropriate private and public regulatory agencies, and institutional constraints.
- **We respect confidentiality and protect the privacy of information.** We take active steps to respect and protect the legitimate privacy interests of all individuals and maintain appropriate confidentiality of institutional information and student records. We never use information acquired in the course of our work for personal advantage.
- **We support the missions of our institutions.** University administrators frequently act as stewards and sometimes as defenders or enforcers of institutional goals, policies and practices. Many of the ethical dilemmas we face occur when there is a perceived or real conflict between the students, faculty, staff, and public we serve and the reasonable interests of our institution. In all situations we demonstrate professional judgment and respond in ways that meet the highest standards of our profession.
- **We actively seek support when concerned about an ethical issue.** Gross ethical violations are relatively easy to recognize and report. Most ethical issues, however, are not so clear cut. There is frequently a “gray area” between the letter and spirit of an institutional practice or policy. Whenever appropriate, university administrators seek guidance from a trusted peer, mentor or experienced colleagues in a manner that fully respects privacy concerns.
- **We raise our voices when the ethical standards of our profession are not being upheld.** Each of us has a mutual responsibility to hold our professional and institutional colleagues accountable. We do not look the other way or rationalize unethical behavior because of friendship or loyalty. We act with moral courage, even in the face of risk, danger, or fear.
- **We pursue professional opportunities to acquire new ethical knowledge and practices.** We all have ethical “blind spots.” As dedicated professionals committed to excellence, we actively seek out and participate in professional growth opportunities to increase our awareness and knowledge of ethical best practices and emerging ethical issues.
- **We actively promote and disseminate these Principles.** We have a responsibility to promote ethical conduct within our profession. These *Principles* have been written, in part, to engender conversation and dialogue on the ethical issues facing university administrators, especially individuals new to our profession.

Case Study #1 – Research Center Director

THE CASE	Research Center Director
INSTITUTIONAL LEVEL	4-Year
INSTITUTIONAL CONTROL	Private, not-for-profit
INSTITUTIONAL SIZE	Medium (3,000 to 9,000 students)
INSTITUTION'S GEOGRAPHIC REGION	Pacific
DESCRIPTION OF ETHICAL LEADERSHIP ISSUE OR DILEMMA	<p>The university community found out through the local news media that one of their research center directors was padding his pockets as a private consultant to the same organization for which his center was performing research. No formal announcements were made at the university about the departure of the center director and his staff.</p> <p>Administrators did not explain why there were new policies in place requiring mandatory training regarding conflicts of financial interest in research. Faculty felt overburdened by the additional training.</p>
APPLYING THE AAUA ETHICAL PRINCIPLES	<ul style="list-style-type: none"> ▪ We commit to the highest levels of integrity. ▪ We uphold the values of fairness and equity. ▪ We strive for accuracy and transparency. ▪ We respect confidentiality and protect the privacy of information. ▪ We support the missions of our institutions. ▪ We actively seek support when concerned about an ethical issue. ▪ We raise our voices when the ethical standards of our profession are not being upheld. ▪ We pursue professional opportunities to acquire new ethical knowledge and practices.

- **We actively promote and disseminate these Principles.**

1. Which AAUA Ethical Principles apply to this case and why?

2. A group of administrators identified the following ethical principles as applying to this case. Explain your agreement or disagreement with their choices.

“We strive for accuracy and transparency.”

“We respect confidentiality and protect the privacy of information.”

“We raise our voices when the ethical standards of our profession are not being upheld.”

CONSIDERATIONS

- **Identify relevant facts. (Describe key facts along with any policies, procedure, guidelines, best practices, applicable laws and regulations, and handbooks/internal publications.)**
- **Identify affected parties. (Describe who is impacted.)**
- **Identify who should be involved in any resolution. (Identify who, as well as when and why they should be involved.)**

Here are some considerations. Which ones do you consider relevant? Irrelevant? What else should be considered?

- a. What are the conflict of interest policies and laws regarding outside research and private consulting at the institution?
- b. Was the individual aware of any conflict of interest or related work policies at the institution?
- c. Was the work being done using any university resources?
- d. How was the distinction being made between the two positions (research center director versus external consultant)?
- e. How did he utilize and account for his time between these two positions?
- f. Did the person have an understanding about what was permissible, or not?
- g. Was the person fired or did he resign (quit)?
- h. Were other staff involved and compensated? Were staff members willing participants?
- i. Were any of the associated staff fired?

- j. What were the training objectives and requirements for faculty and other related staff members?
- k. What constituencies were required to partake in training?
- l. What institutional policies were in place to monitor outside employment of employees?
- m. What is included regarding behavior of employees and legal crimes as part of the institution's policy handbook?
- n. Does any outside group (e.g., Federal, state government agencies) have any guidance or oversight?
- o. What are considered on campus (institutional location) versus off-campus responsibilities of employees and the institution?
- p. What are possible options that administrators could potentially implement?

QUESTIONS TO ASK

- **What is important?**
- **What information is relevant? Irrelevant?**
- **What are the priorities?**
- **How does this case affect the institution and stakeholders?**
- **What are the consequences of potential actions to be taken?**

For discussion . . .

1. Was it fair that faculty were overburdened with conflicts of interest training?
2. What are the potential public relations (PR) issues for the institution?
3. What does this event mean to the institution? Administration? Faculty?
4. Was this a knee-jerk reaction?
5. What would be considered "damage control" activities?
6. Does the work that the Research Director did as a "consultant" vastly differ from the work done in his role as Director?
7. How could the university's administrators better communicate the need for additional training?
8. Who need to be professionally developed as a result of the Research Directors actions?
9. How does one demonstrate and then train others regarding transparency?

POSSIBLE COURSES OF ACTION

Here are some possible courses of action. As an administrator applying the AAUA ethical principles, what additional courses of action should be taken?

10. What is the appropriate response when there is a news article about a university employee, and who should address the issues?

- **Check relevant facts and procedures and review legal options.**
- **Discuss matters with appropriate personnel.**
- **List actions that should be taken, and by whom.**
- **List policies or procedures to be reviewed, revised, or created.**

1. What kind of training options should be made available to administrators? Faculty?
2. Should training be mandatory for faculty? What kind? To what extent?
3. What is the best course of action for the institution? The research center team? The faculty? The community?
4. What considerations need to be addressed by administration regarding the issues of transparency and accuracy?
5. What policies need to be addressed to clarify and confusion on outside work-related matters for faculty? Who needs to be involved? Does the faculty need to vote on these policy issues?
6. What kind of communication strategy is needed from the institution?
7. What else?

SUPPLEMENTAL MATERIALS AND REFERENCES

Additional Materials

Sometimes additional materials are needed to fully discuss a case. Some possible supplemental materials and references are shared below. What additional references do you suggest?

- (a) Conflict of interest policies and practices.
- (b) State and Federal research guidelines – grants.gov policies, grievance policies

References

AAUP. (2009). Statement on professional ethics. American Association of University Professors. Retrieved from: <https://www.aaup.org/report/statement-professional-ethics>

- ACE. (2008). Executive Summary: Higher education conflict of interest guidelines. American Council on Education. Retrieved from: <https://www.acenet.edu/news-room/Pages/Executive-Summary-Higher-Education-Conflict-of-Interest-Guidelines.aspx>
- Brown, E. B., & Trevino, L.K. (2006). Ethical leadership: A review and future directions. *The Leadership Quarterly* 17. 595-619. Retrieved from: <https://www.sciencedirect.com/science/article/pii/S104898430600110X?via%3Dihub>
- Keenan, J.F. (2015). *University ethics: How colleges can build and benefit from a culture of ethics*. New York, NY: Rowman & Littlefield
- Seltzer, R. (2017). Of Moral turpitude. *Inside Higher Ed*. Retrieved from <https://www.insidehighered.com/news/2017/07/31/recent-scandals-show-leaders-failing-navigate-acceptable-behavior-standards-against>

Case Study #2 – Reduction of Program Entry Criteria to Over-Enroll Professional Programs

THE CASE	Reduction of Program Entry Criteria to Over-Enroll Professional Programs
INSTITUTIONAL LEVEL	4-Year
INSTITUTIONAL CONTROL	Private, not-for-profit
INSTITUTIONAL SIZE	Large (10,000 or more students)
INSTITUTION'S GEOGRAPHIC REGION	Northeast
DESCRIPTION OF ETHICAL LEADERSHIP ISSUE OR DILEMMA	<p>With the assistance of analytical programs, the university president and upper administration identified potential areas for enrollment growth based solely on the applicant pool size. After consulting with professional programs for a discussion regarding professional standards and accreditation regulations, the president issued an edict to triple enrollment for a recently started undergraduate licensing-eligible nursing program and simultaneously reduce minimum entry requirements (e.g. from a 90 high school average to an 85, from a 1200 SAT combined score down to 1000). Faculty were removed from any oversight of the admissions process.</p> <p>The department's administrative oversight, department chair and undergraduate program director, met with their Dean of Health and Nursing immediately and submitted a comparison between area schools as well as professional best practice recommendations based on accreditation, professional, and state education guidelines. These submissions were ignored</p>

by the upper administration. With high saturation of similar programs, placements for this program are limited for the original cohort size of 40 students and nonexistent for the new cohort size of 120.

The original program director departed the institution, a subsequent hire for the position also separated from the university after a semester of service, and the clinical coordinator likewise worked for a semester and left. Department hires are highly scrutinized by an HR staff member with no expertise in the profession and no ability to recruit. The department chair is stepping down at the end of the semester amid the stress and poor support and there are no seasoned faculty to assume a leadership role. A recent accreditation site visit has highlighted deficiencies as a result of the increased enrollment and lack of support staff and faculty. The president demands a satisfactory outcome to the accreditor's site visit with all these problems evident.

APPLYING THE AAUA ETHICAL PRINCIPLES

- **We commit to the highest levels of integrity.**
- **We uphold the values of fairness and equity.**
- **We strive for accuracy and transparency.**
- **We respect confidentiality and protect the privacy of information.**
- **We support the missions of our institutions.**
- **We actively seek support when concerned about an ethical issue.**
- **We raise our voices when the ethical standards of our profession are not being upheld.**
- **We pursue professional opportunities to acquire new ethical knowledge and practices.**
- **We actively promote and disseminate these Principles.**

1. Which AAUA Ethical Principles apply to this case and why?
2. A group of administrators identified the following ethical principles as applying to this case. Explain your agreement or disagreement with their choices.

“We respect confidentiality and protect the privacy of information.”

“We strive for accuracy and transparency.”

“We raise our voices when the ethical standards of our profession are not being upheld.”

CONSIDERATIONS

Here are some considerations. Which ones do you consider relevant? Irrelevant? What else should be considered?

- **Identify relevant facts. (Describe key facts along with any policies, procedure, guidelines, best practices, applicable law and regulations, and handbooks/internal publications.)**
- **Identify affected parties. (Describe who is impacted.)**
- **Identify who should be involved in any resolution. (Identify who, as well as when and why they should be involved.)**

- a. Are students looked at as dollar signs?
- b. Were the students successful who were admitted with lower criteria?
- c. What is being done about faculty and administrative turnover?
- d. Does the president think he is meeting the needs of the community because of a high demand in the medical field?
- e. Which stakeholders are being impacted by this decision?
- f. Are these actions aligned with the mission of the university?
- g. What is the policy of the university regarding changing admission criteria?

QUESTIONS TO ASK

- **What is important?**
- **What information is relevant? Irrelevant?**
- **What are the priorities?**
- **How does this case affect the institution and stakeholders?**
- **What are the consequences of potential actions to be taken?**

For discussion . . .

1. Are the resources shared with other programs within the college and how are they affected?
2. What data were used by the president?
3. Was there accuracy and transparency?
4. Should the institution be saturating the market?
5. Is this practice consistent with the institution's mission?
6. What responsibility does the dean have regarding this issue?
7. Should faculty go to the Board of Trustees with this issue?

POSSIBLE COURSES OF ACTION

- **Check relevant facts and procedures and review legal options.**
- **Discuss matters with appropriate personnel.**
- **List actions that should be taken, and by whom.**
- **List policies or procedures to be reviewed, revised, or created.**

Here are some possible courses of action. As an administrator applying the AAUA ethical principles, what additional courses of action should be taken?

1. Program administrations can use accreditation results to address the issue with the university president.
2. Program faculty can request the resources needed to implement the new program and monitor student success.
3. The dean can work closely with the provost to meet the accreditation criteria for the program.
4. What else?

SUPPLEMENTAL MATERIALS AND REFERENCES

Sometimes additional materials are needed to fully discuss a case. Some possible supplemental materials and references are shared below. What additional references do you suggest?

Additional Materials

- (a) Accreditation standards.
- (b) Professional standard
- (c) State education guidelines.

References

Brown, E. B., & Trevino, L.K. (2006). Ethical leadership: A review and future directions. *The Leadership Quarterly*

17. 595-619. Retrieved from:

<https://www.sciencedirect.com/science/article/pii/S104898430600110X?via%3Dihub>

Keenan, J.F. (2015). *University ethics: How colleges can build and benefit from a culture of ethics*. New York, NY: Rowman & Littlefield

Quilantan, B. (2018). Should colleges let ailing majors die or revamp them? *The Chronicle of Higher Education*. Retrieved from: <https://www.chronicle.com/article/Should-Colleges-Let-Ailing/243447>

Case Study #3 – President/Benefactor

CASE TITLE	President/Benefactor
INSTITUTIONAL LEVEL	4-Year
INSTITUTIONAL CONTROL	Private, not-for-profit
INSTITUTIONAL SIZE	Medium (3,000 to 9,000 students)
INSTITUTION'S GEOGRAPHIC REGION	Northeast
DESCRIPTION OF ETHICAL LEADERSHIP ISSUE OR DILEMMA	<p>Recently, the institution underwent a Presidential Search that resulted in three finalists. One finalist, an alumnus and prominent benefactor to the university, was tapped to be the new President. Was the benefactor a sure thing once entering the search? If so, how much time and money were wasted having the other candidates on campus twice? If not, how rigorous a process was used to compare the incoming president with qualified national candidates?</p>
APPLYING THE AAUA ETHICAL PRINCIPLES	<ul style="list-style-type: none"> ▪ We commit to the highest levels of integrity. ▪ We uphold the values of fairness and equity. ▪ We strive for accuracy and transparency. ▪ We respect confidentiality and protect the privacy of information. ▪ We support the missions of our institutions. ▪ We actively seek support when concerned about an ethical issue. ▪ We raise our voices when the ethical standards of our profession are not being upheld.

- **We pursue professional opportunities to acquire new ethical knowledge and practices.**
- **We actively promote and disseminate these Principles.**

1. Which AAUA Ethical Principles apply to this case and why?

2. A group of administrators identified the following ethical principles as applying to this case. Explain your agreement or disagreement with their choices.

“We respect confidentiality and protect the privacy of information.”

“We strive for accuracy and transparency.”

“We raise our voices when the ethical standards of our profession are not being upheld.”

“We commit to the highest level of integrity.”

CONSIDERATIONS

- **Identify relevant facts. (Describe key facts along with any policies, procedure, guidelines, best practices, applicable laws and regulations, and handbooks/internal publications.)**
- **Identify affected parties. (Describe who is impacted.)**
- **Identify who should be involved in any resolution. (Identify who, as well as when and why they should be involved.)**

Here are some considerations. Which ones do you consider relevant? Irrelevant? What else should be considered?

- a. Did it make sense to keep the process going if the outcome was certain? Was the outcome certain from the beginning or at some point along the way?
- b. Was the campus feedback legitimately taken into consideration by the search committee? Do the faculty and staff feel that in part they own this decision?
- c. A genuine search validates and legitimizes the appointee. A false search does the opposite. Could this cast doubt on the appointee? If so, this represents a problematic beginning for the appointee.

- d. Does the benefactor have legitimate experiences and credentials that warrant this appointment? Especially regarding shared governance, board responsibilities, academic freedom, institutional finances, accreditation, etc.?
- e. Is it a conflict of interest for the benefactor to even apply for the position?
- f. What assumptions are made based on the wording of the case?
- g. Did the institution have any policies in place for this type of contingency? Are they making it up as they go along?
- h. What public relations issues may occur?
- i. A board member could protest this matter in private to the board chair.
- j. The alumni or faculty could complain to the board chair. In an extreme case the faculty could take a vote of no confidence in the new president.

QUESTIONS TO ASK

- **What is important?**
- **What information is relevant? Irrelevant?**
- **What are the priorities?**
- **How does this case affect the institution and stakeholders?**
- **What are the consequences of potential actions to be taken?**

For discussion . . .

1. How big were the donor's gifts? How recent? How much is too much, such that it appears the benefactor is buying the position?
2. Was a search firm or consultant used? If so, did that person in charge brief the institution on the possible risks and consequences associated with this appointment?
3. Are alumni and alumnae given preference for other appointments or is this the only one?
4. Was it ethical to entertain the external candidates if they were doomed from the start?

POSSIBLE COURSES OF ACTION

Here are some possible courses of action. As an administrator applying the AAUA ethical principles, what additional courses of action should be taken?

- Check relevant facts and procedures and review legal options.
 - Discuss matters with appropriate personnel.
 - List actions that should be taken, and by whom.
 - List policies or procedures to be reviewed, revised, or created.
1. Praise the appointment and express full support for the new president.
 2. During the search, at least let the external candidates know there is an internal, alumnus/alumna, benefactor candidate. This gives the externals the opportunity to withdraw if they feel the search is not open and honest.
 3. Conduct the search with as much confidentiality as possible.
 4. What else?

SUPPLEMENTAL MATERIALS AND REFERENCES

Additional Materials

Sometimes additional materials are needed to fully discuss a case. Some possible supplemental materials and references are shared below. What additional references do you suggest?

- (a) Hiring policies.
- (b) Conflict of interest policies.

References

- AGB. (2017). AGB Board of Directors' statement on shared governance. Association of Governing Boards. Retrieved from: <https://www.agb.org/statements/2017-1010/agb->
- Holmes, A.B. (1996). Ethics in higher education: Case studies for regents. Norman, Oklahoma: University of Oklahoma Press.
- Valbrun, M. (2018). Close ties between University of Michigan's investments and donors draw scrutiny and criticism. Retrieved from: <https://www.insidehighered.com/news/2018/06/05/close-ties-between-university-michigan%E2%80%99s-investments-and-donors-draw-scrutiny-and?width=775&height=500&iframe=true>

Case Study #4 – Poor Teacher with Tenure

THE CASE	Poor Teacher with Tenure
INSTITUTIONAL LEVEL	2-Year
INSTITUTIONAL CONTROL	Public
INSTITUTIONAL SIZE	Large (10,000 or more students)
INSTITUTION’S GEOGRAPHIC REGION	Northeast
DESCRIPTION OF ETHICAL LEADERSHIP ISSUE OR DILEMMA	An assistant professor in a language department has tenure yet teaches poorly. Students consistently complain and give details about the professor sharing personal stories instead of completing the curriculum. They feel they are not getting a quality education and threaten to drop the course. The Provost and the union president are clear that this professor cannot be terminated. The problem is affecting a small department in a very big way. Complicating add on: Is it possible that only one or a small group of students is complaining, and have organized the remainder to join in the protest against the faculty member. The students are hoping that the department chair will take over the grading and award all A’s to the students in the class.
APPLYING THE AAUA ETHICAL PRINCIPLES	<ul style="list-style-type: none"> ▪ We commit to the highest levels of integrity. ▪ We uphold the values of fairness and equity. ▪ We strive for accuracy and transparency. ▪ We respect confidentiality and protect the privacy of information.

- **We support the missions of our institutions.**
- **We actively seek support when concerned about an ethical issue.**
- **We raise our voices when the ethical standards of our profession are not being upheld.**
- **We pursue professional opportunities to acquire new ethical knowledge and practices.**
- **We actively promote and disseminate these Principles.**

1. Which AAUA Ethical Principles apply to this case and why?

2. A group of administrators identified the following ethical principles as applying to this case. Explain your agreement or disagreement with their choices.

“We respect confidentiality and protect the privacy of information.”

“We support the missions of our institutions.”

“We respect confidentiality and protect the privacy of information.”

“We raise our voices when the ethical standards of our profession are not being upheld.”

CONSIDERATIONS

- **Identify relevant facts. (Describe key facts along with any policies, procedure, guidelines, best practices, applicable laws and regulations, and handbooks/internal publications.)**
- **Identify affected parties. (Describe who is impacted.)**
- **Identify who should be involved in any resolution. (Identify who, as well as when and why they should be involved.)**

Here are some considerations. Which ones do you consider relevant? Irrelevant? What else should be considered?

- a. Does the institution set a precedent when it makes a decision about this faculty member? Such a consequent may have long-standing consequences for the institution.
- b. Assuming the student protest is legitimate, the conflict is between the right of the students to good teaching and the rights of the faculty member under the tenure contract. Institutions in general do not

have anything in the statutes or bylaws or due-process rules to settle such a conflict between these two constituent groups.

- c. What does the tenure contract cover and require of the institution?
- d. Are training and teacher development included in the tenure contract?
- e. Can the professor be terminated?
- f. Can the professor be terminated?
- g. Does the faculty member have a “right to teach” or is that right contingent on the evidence that he is doing it well? Who judges this? Are student evaluations taken seriously?

QUESTIONS TO ASK

- **What is important?**
- **What information is relevant? Irrelevant?**
- **What are the priorities?**
- **How does this case affect the institution and stakeholders?**
- **What are the consequences of potential actions to be taken?**

For discussion . . .

1. Which of the two values in conflict is of greatest importance to the institution?
2. Does the overall mission of the institution mandate a certain decision?
3. What will other stakeholders such as the board members, possibly parents, the faculty at large, and the larger community contribute to this case?
4. Is there a longer record of poor teaching or is this the first? Why has this come to a crisis at this moment?
5. Would some incentive (e.g., research time, travel money) improve the faculty member’s attitude and help the situation?

POSSIBLE COURSES OF ACTION

- **Check relevant facts and procedures and review legal options.**

Here are some possible courses of action. As an administrator applying the AAUA ethical principles, what additional courses of action should be taken?

- **Discuss matters with appropriate personnel.**
 - **List actions that should be taken, and by whom.**
 - **List policies or procedures to be reviewed, revised, or created.**
1. Terminate the faculty member and deal with the appeals and other fallout.
 2. Remove from the classroom but assign other duties such as administrative work, additional committee service, research, or other obligations.
 3. Require additional peer reviews and classroom observations.
 4. If the institution has a teaching center, require the faculty member's attendance and development of a remedial plan.
 5. Meet with the students again as a class to determine the legitimacy of the complaints. Ask them some tough questions without being threatening.
 6. Have the chair or the department as a whole take over the grading of students.
 7. What else?

SUPPLEMENTAL MATERIALS AND REFERENCES

Sometimes additional materials are needed to fully discuss a case. Some possible supplemental materials and references are shared below. What additional references do you suggest?

Additional Materials

- (a) Faculty Handbook
- (b) Student right and responsibilities
- (c) Grievance policies
- (d) AAUA 1940 Statement on Academic Freedom

References

- AAUP (2009). Statement on professional ethics. American Association of University Professors. Retrieved from: <https://www.aaup.org/report/statement-professional-ethics>
- Brown, S. (2017). Wayne State's move to strip 5 professors of tenure sparks unease about a

broader threat. The Chronicle of Higher Education. Retrieved from: <https://www-chronicle-com.sandiego.idm.oclc.org/article/Wayne-State-s-Move-to-Strip/239678>

Case Study #5 – Micro-Aggression Among Administrators

THE CASE	Micro-Aggression Among Administrators
INSTITUTIONAL LEVEL	4-Year
INSTITUTIONAL CONTROL	Public
INSTITUTIONAL SIZE	Medium (3,000 to 9,000 students)
INSTITUTION'S GEOGRAPHIC REGION	Northeast
DESCRIPTION OF ETHICAL LEADERSHIP ISSUE OR DILEMMA	<p>Many institutions have conducted anti-bias training on campus. This institution has regular anti-bias training, and over the past two years, that training has included specific training in micro-aggression.</p> <p>Despite that, micro-aggression continues to occur. The most common solution is to call the person who micro-aggresses on his/her behavior. Sometimes, this takes place in private, but at times, it takes place publicly. In any case, the number of micro-aggressive incidents suggests that the training has not worked. The institution needs additional training and reinforcing training. A person's gender, race, ethnicity, ability, sexuality, national origin, first language, etc. should not result in any statement or action that amounts to shaming. The institution does not have a policy regarding micro-aggression, and this seems the time to start.</p>

APPLYING THE AAUA ETHICAL PRINCIPLES

- We commit to the highest levels of integrity.
- We uphold the values of fairness and equity.
- We strive for accuracy and transparency.
- We respect confidentiality and protect the privacy of information.
- We support the missions of our institutions.
- We actively seek support when concerned about an ethical issue.
- We raise our voices when the ethical standards of our profession are not being upheld.
- We pursue professional opportunities to acquire new ethical knowledge and practices.
- We actively promote and disseminate these Principles.

1. Which AAUA Ethical Principles apply to this case and why?

2. A group of administrators identified the following ethical principles as applying to this case. Explain your agreement or disagreement with their choices.

“We respect confidentiality and protect the privacy of information.”

“We strive for accuracy and transparency.”

“We raise our voices when the ethical standards of our profession are not being upheld.”

“We commit to the highest level of integrity.”

CONSIDERATIONS

- **Identify relevant facts. (Describe key facts along with any policies, procedure, guidelines, best practices, applicable laws and regulations, and handbooks/internal publications.)**
- **Identify affected parties. (Describe who is impacted.)**
- **Identify who should be involved in any resolution. (Identify who, as well as when and why they should be involved.)**

Here are some considerations. Which ones do you consider relevant? Irrelevant? What else should be considered?

QUESTIONS TO ASK

For discussion . . .

POSSIBLE COURSES OF ACTION

- a. When does leadership step in? How do leaders accurately estimate the situation on campus?
- b. This matter is not “solved” by a new policy and additional training. It needs to be recast as a high-level administrative imperative that has the full attention of the leadership. Leadership is more important than training. Culture is changed by the actions of leaders.
- c. Is the situation such that accrediting agencies, Title IX, or negative public opinion may come into play?

- **What is important?**
- **What information is relevant? Irrelevant?**
- **What are the priorities?**
- **How does this case affect the institution and stakeholders?**
- **What are the consequences of potential actions to be taken?**

1. What is the precise definition of micro-aggression, and what is the level of awareness in the institution? Is micro-aggression to some degree self-defined and difficult to objectify? How does it differ from intentional bullying or ordinary insensitivities?
2. What does research say about the effectiveness of diversity training? Does it have a permanent effect or do people revert to their previous behavior?
4. If training is minimally effective, how else does one change the culture of the institution?

- **Check relevant facts and procedures and review legal options.**
- **Discuss matters with appropriate personnel.**
- **List actions that should be taken, and by whom.**
- **List policies or procedures to be reviewed, revised, or created.**

Here are some possible courses of action. As an administrator applying the AAUA ethical principles, what additional courses of action should be taken?

1. The institution needs a policy, either free-standing or a revision of the anti-harassment policy. Any training activity has to have a basis in this policy statement.
2. Appoint a consultant who is expert in devising a policy and training activities.
3. Call a voluntary town hall meeting to discuss this issue and the possible courses of action. All leadership attends this event to demonstrate its importance.
4. What else?

SUPPLEMENTAL MATERIALS AND REFERENCES

Additional Materials

Sometimes additional materials are needed to fully discuss a case. Some possible supplemental materials and references are shared below. What additional references do you suggest?

- (a) Micro-aggression training materials
- (b) Micro-aggression policies at other institutions

References

- Fleurizard, T. (2018). How to deal with micro-aggressions in class. Inside Higher Ed. Retrieved from:
<https://www.insidehighered.com/advice/2018/07/20/how-deal-microaggressions-class-opinion?width=775&height=500&iframe=true>
- Gluckman, N. (2017). Can universities foster a culture of ethics? Some are trying. The Chronicle of Higher Education. Retrieved from:
<https://www.chronicle.com/article/Can-Universities-Foster-a/240036>
- Jackson, J. Jr. (2011). What's the Answer to Racism on Campus: Leave? Silence? The Chronicle of Higher Education, April 27, 2011.
- Thomason, A. (2014). Students at Colgate U. stage a sit-in over 'institutionalized racism'. The Chronicle of Higher Education: Retrieved from:
<https://www.chronicle.com/blogs/ticker/students-at-colgate-u-stage-sit-in-over-institutionalized-racism/86733>

Case Study #6 – Interdisciplinarity Done Wrong

THE CASE	Interdisciplinarity Done Wrong
INSTITUTIONAL LEVEL	4-Year
INSTITUTIONAL CONTROL	Public
INSTITUTIONAL SIZE	Large (10,000 or more students)
INSTITUTION'S GEOGRAPHIC REGION	Southeast
DESCRIPTION OF ETHICAL LEADERSHIP ISSUE OR DILEMMA	<p>Setting: Interdisciplinary College of Nursing containing clinical and non- clinical healthcare professions in a large state institution. The dean is a nurse.</p> <p>Situation: The non-clinical programs draw more students than the clinical programs and they are more profitable as well. To mitigate continued loss, a proposal was made to the dean to work with community colleges. The partnership would allow the institution to discontinue programs that were not profitable and rely on the community college to prepare students for the pipeline of the more profitable programs. The dean refused to discontinue even a few clinical programs to mitigate continued loss.</p> <p>The directors of the non-clinical programs permitted only adjunct faculty to teach undergraduate and graduate level courses, thereby alienating tenure-track faculty who would be in support of research. This practice, along with the college grant office being solely nursing-focused, resulted in non-clinical grants slipping through the cracks, no academic scholarships available for non- clinical students, and no</p>

APPLYING THE AAUA ETHICAL PRINCIPLES

conference attendance permitted for non-clinical students. Additionally, non-clinical staff were not paid a wage commensurate with other healthcare programs on campus. Non-clinical directors went to provost twice on behalf of students, adjunct faculty, and staff, but nothing was done.

The dean provided an annual budget to the provost and executive leadership showing a profitable College of Nursing, with no data indicating how the non-clinical programs fully fund the clinical programs.

- **We commit to the highest levels of integrity.**
- **We uphold the values of fairness and equity.**
- **We strive for accuracy and transparency.**
- **We respect confidentiality and protect the privacy of information.**
- **We support the missions of our institutions.**
- **We actively seek support when concerned about an ethical issue.**
- **We raise our voices when the ethical standards of our profession are not being upheld.**
- **We pursue professional opportunities to acquire new ethical knowledge and practices.**
- **We actively promote and disseminate these Principles.**

1. Which AAUA Ethical Principles apply to this case and why?

2. A group of administrators identified the following ethical principles as applying to this case. Explain your agreement or disagreement with their choices.

“We strive for accuracy and transparency.”

“We support the missions of our institutions.”

“We raise our voices when the ethical standards of our profession are not being upheld.”

CONSIDERATIONS

Here are some considerations. Which ones do you consider relevant? Irrelevant? What else should be considered?

- **Identify relevant facts. (Describe key facts along with any policies, procedure, guidelines, best practices, applicable laws and regulations, and handbooks/internal publications.)**
 - **Identify affected parties. (Describe who is impacted.)**
 - **Identify who should be involved in any resolution. (Identify who, as well as when and why they should be involved.)**
- a. How common is it for some programs in a college to carry the financial burden of other programs?
 - b. Are finances the only reason for offering programs at a public institution? Is there an obligation to provide the community with needed programs?
 - c. Which stakeholder groups are affected negatively by this practice?
 - d. Is there bias toward clinical programs because the dean is a nurse?

QUESTIONS TO ASK

For discussion . . .

- **What is important?**
 - **What information is relevant? Irrelevant?**
 - **What are the priorities?**
 - **How does this case affect the institution and stakeholders?**
 - **What are the consequences of potential actions to be taken?**
1. Is it ethical to only show the “big picture” to upper administration?
 2. Are adjuncts being treated fairly?
 3. Is the dean being transparent in reporting the finances of the College of Nursing?
 4. How does the profitability of the non-clinical programs balance the non-profitability of the clinical programs?
 5. Should certain programs be phased out and other programs enlarged?
 6. Does it matter that this is a public institution as opposed to a private institution?

POSSIBLE COURSES OF ACTION

Here are some possible courses of action. As an administrator applying the AAUA ethical principles, what additional courses of action should be taken?

- Check relevant facts and procedures and review legal options.
- Discuss matters with appropriate personnel.
- List actions that should be taken, and by whom.
- List policies or procedures to be reviewed, revised, or created.

1. Conduct a contribution margin study to see what programs are contributing to the institution.
2. Ensure that all programs at the institution participate in an academic program review process that includes an examination of the resources needed to run an effective program.
3. The program directors can utilize an advisory council to advise them on the issues plaguing their interdisciplinary programs and have the chair of the advisory council meet with the dean about pressing issues.
4. What else?

SUPPLEMENTAL MATERIALS AND REFERENCES

Additional Materials

Sometimes additional materials are needed to fully discuss a case. Some possible supplemental materials and references are shared below. What additional references do you suggest?

- (a) List of community college nursing-related programs.
- (b) Human Resources wage guidelines.
- (c) Faculty Handbook (section on teaching and research requirements)
- (d) Student Handbook (section on academic scholarship)

References

Brown, E. B., & Trevino, L.K. (2006). Ethical leadership: A review and future directions. *The Leadership Quarterly* 17. 595-619. Retrieved from:
<https://www.sciencedirect.com/science/article/pii/S104898430600110X?via%3Dihub>

Keenan, J.F. (2015). *University ethics: How colleges can build and benefit from a culture of ethics*. New York, NY: Rowman & Littlefield

Quilantan, B. (2018). Should colleges let ailing majors die or revamp them? The Chronicle of Higher Education. Retrieved from: <https://www.chronicle.com/article/Should-Colleges-Let-Ailing/243447>

Case Study #7 – Conflicts in Shared Governance

THE CASE	Conflicts in Shared Governance
INSTITUTIONAL LEVEL	4-Year
INSTITUTIONAL CONTROL	Private, not-for-profit
INSTITUTIONAL SIZE	Medium (3,000 to 9,000 students)
INSTITUTION'S GEOGRAPHIC REGION	Northeast
DESCRIPTION OF ETHICAL LEADERSHIP ISSUE OR DILEMMA	<p>In an environment of serious demographic and enrollment decline, faculty and president are in conflict. The board supports the president fully. The faculty senate has passed a no confidence vote in the president. The faculty misunderstand the financial realities.</p> <p>(Note: The Bylaws of the senate provide only for control of the curriculum and only advisory influence on executive actions.)</p>
APPLYING THE AAUA ETHICAL PRINCIPLES	<ul style="list-style-type: none"> ▪ We commit to the highest levels of integrity. ▪ We uphold the values of fairness and equity. ▪ We strive for accuracy and transparency. ▪ We respect confidentiality and protect the privacy of information. ▪ We support the missions of our institutions. ▪ We actively seek support when concerned about an ethical issue. ▪ We raise our voices when the ethical standards of our profession are not being upheld. ▪ We pursue professional opportunities to acquire new ethical knowledge and practices. ▪ We actively promote and disseminate these Principles.

1. Which AAUA Ethical Principles apply to this case and why?
2. A group of administrators identified the following ethical principles as applying to this case. Explain your agreement or disagreement with their choices.

“We respect confidentiality and protect the privacy of information.”

“We strive for accuracy and transparency.”

“We raise our voices when the ethical standards of our profession are not being upheld.”

CONSIDERATIONS

- **Identify relevant facts. (Describe key facts along with any policies, procedure, guidelines, best practices, applicable laws and regulations, and handbooks/internal publications.)**
 - **Identify affected parties. (Describe who is impacted.)**
 - **Identify who should be involved in any resolution. (Identify who, as well as when and why they should be involved.)**
- a. What kind of demographics are affecting enrollment?
 - b. Is declining enrollment a short-term or long-term issue?
 - c. Is declining enrollment evident in only a few programs?
 - d. What is the basis for the no confidence vote?
 - e. Has information been properly communicated to all stakeholder groups regarding the institution’s financial state?
 - f. How tuition dependent is the institution?
 - g. Are there financial assets the institution can liquidate to maintain operations during a low enrollment period?

Here are some considerations. Which ones do you consider relevant? Irrelevant? What else should be considered?

QUESTIONS TO ASK

- **What is important?**
- **What information is relevant? Irrelevant?**
- **What are the priorities?**

For discussion . . .

- **How does this case affect the institution and stakeholders?**
 - **What are the consequences of potential actions to be taken?**
1. How is shared governance defined at this institution?
 2. What does a vote of no confidence mean?
 3. Will it be necessary to lay-off tenured faculty members?
 4. How transparent has the institution been with enrollment data and its implications?
 5. Should certain programs be phased out and other programs enlarged?
 6. How included has the senate been with problem solving?
 7. Does it matter that this is a private institution as opposed to a public institution that is required to disclose budgets?

POSSIBLE COURSES OF ACTION

Here are some possible courses of action. As an administrator applying the AAUA ethical principles, what additional courses of action should be taken?

- **Check relevant facts and procedures and review legal options.**
 - **Discuss matters with appropriate personnel.**
 - **List actions that should be taken, and by whom.**
 - **List policies or procedures to be reviewed, revised, or created.**
- a. The Board of Trustees can work with the president to develop a communication plan to inform all stakeholder groups about the institution's financial state, the causes, and plans to address the issues.
 - b. The president can hire a consulting firm to shepherd the institution through data gathering and solution development with the senate.
 - c. The deans can review, with faculty, declining enrollment trends and the financial implications of continuing programs with consistent low enrollment.
 - d. What else?

SUPPLEMENTAL MATERIALS AND REFERENCES

Sometimes additional materials are needed to fully discuss a case. Some possible supplemental materials and references

*Additional
Materials*

are shared below. What additional references do you suggest?

- (a) Senate By-Laws
- (b) Public financial records of the institution
- (c) Institutional enrollment data

References

- AAUP. (2009). Statement on professional ethics. American Association of University Professors. Retrieved from: <https://www.aaup.org/report/statement-professional-ethics>
- AGB. (2017). AGB Board of Directors' statement on shared governance. Association of Governing Boards. Retrieved from: <https://www.agb.org/statements/2017-1010/agb-board-of-directors-statement-on-shared-governance>
- Keenan, J.F. (2015). *University ethics: How colleges can build and benefit from a culture of ethics*. New York, NY: Rowman & Littlefield
- Quilantan, B. (2018). Should colleges let ailing majors die or revamp them? The Chronicle of Higher Education. Retrieved from: <https://www.chronicle.com/article/Should-Colleges-Let-Ailing/243447>

Case Study #8 – Coach

THE CASE	Coach
INSTITUTIONAL LEVEL	4-Year
INSTITUTIONAL CONTROL	Private, not-for-profit
INSTITUTIONAL SIZE	Medium (3,000 to 9,000 students)
INSTITUTION'S GEOGRAPHIC REGION	Pacific
DESCRIPTION OF ETHICAL LEADERSHIP ISSUE OR DILEMMA	The local evening news opened with a story about the arrest of a university coach following an away game. Administrators at the faith-based institution were faced with the decision to support the coach until after the trial or to solicit a resignation.
APPLYING THE AAUA ETHICAL PRINCIPLES	<ul style="list-style-type: none"> ▪ We commit to the highest levels of integrity. ▪ We uphold the values of fairness and equity. ▪ We strive for accuracy and transparency. ▪ We respect confidentiality and protect the privacy of information. ▪ We support the missions of our institutions. ▪ We actively seek support when concerned about an ethical issue. ▪ We raise our voices when the ethical standards of our profession are not being upheld. ▪ We pursue professional opportunities to acquire new ethical knowledge and practices. ▪ We actively promote and disseminate these Principles. <p>1. Which AAUA Ethical Principles apply to this case and why?</p>

2. A group of administrators identified the following ethical principles as applying to this case. Explain your agreement or disagreement with their choices.

“We commit to the highest level of integrity.”

“We support the missions of our institutions.”

“We actively seek support when concerned about an ethical issue.”

CONSIDERATIONS

Here are some considerations. Which ones do you consider relevant? Irrelevant? What else should be considered?

- **Identify relevant facts. (Describe key facts along with any policies, procedure, guidelines, best practices, applicable laws and regulations, and handbooks/internal publications.)**
 - **Identify affected parties. (Describe who is impacted.)**
 - **Identify who should be involved in any resolution. (Identify who, as well as when and why they should be involved.)**
- a. What are the legal laws at the institution and the location in which the event occurred?
 - b. What is included regarding behavior of employees and legal crimes as part of the institution’s policy/handbook?
 - c. What is the coach classification (staff, administrator, faculty, or consultant) and does this classification have a separate set of guidelines or rules?
 - d. Does any outside group (NCAA) have any guidance or oversight?
 - e. Who else needs to be involved?
 - f. What are considered on-campus (institutional location) versus off-campus responsibilities of employees at the institution?
 - g. What are possible options that administrators could potentially implement? (e.g., leave of absence)?
 - h. What was the coach alleged to have done?
 - i. Was the “arrest” itself considered against policy and

QUESTIONS TO ASK

- grounds for dismissal?
- j. What was done to solicit the resignation?
 - k. Who is impacted and why?
 - l. What else is needed to make any further decision?

For discussion . . .

- **What is important?**
- **What information is relevant? Irrelevant?**
- **What are the priorities?**
- **How does this case affect the institution and stakeholders?**
- **What are the consequences of potential actions to be taken?**

1. What considerations are there considering the public face of the institution?
2. What is the public relations issues for the faith-based institution?
3. Does the faith-based institution have a different code of ethics/responsibilities for coaches?
4. What practice for seeking resignation and/or dismissal is consistent with the institution's mission?
5. What does a resignation versus a dismissal mean for the team's morale?
6. What does this mean to the integrity of the institution? Administration? Coach?

POSSIBLE COURSES OF ACTION

Here are some possible courses of action. As an administrator

- **Check relevant facts and procedures and review legal options.**
- **Discuss matters with appropriate personnel.**
- **List actions that should be taken, and by whom.**
- **List policies or procedures to be reviewed, revised, or created.**

1. Would a leave of absence be an option available to administrators?
2. What is the best course of action for the institution? The coach? The team? The

applying the AAUA ethical principles, what additional courses of action should be taken?

community?

3. What kind of communication strategy is needed from the institution?
4. What else?

SUPPLEMENTAL MATERIALS AND REFERENCES

Sometimes additional materials are needed to fully discuss a case. Some possible supplemental materials and references are shared below. What additional references do you suggest?

Additional Materials

NCAA guidelines

References

Brown, E. B., & Trevino, L.K. (2006). Ethical leadership: A review and future directions. *The Leadership Quarterly* 17. 595-619. Retrieved from:
<https://www.sciencedirect.com/science/article/pii/S104898430600110X?via%3Dihub>

Keenan, J.F. (2015). *University ethics: How colleges can build and benefit from a culture of ethics*. New York, NY: Rowman & Littlefield

Case Study #9 – Free Expression vs. Cultural Sensitivity

THE CASE	Free Expression vs. Cultural Sensitivity
INSTITUTIONAL LEVEL	4-Year
INSTITUTIONAL CONTROL	Private, not-for-profit
INSTITUTIONAL SIZE	Small (fewer than 3,000 students)
INSTITUTION'S GEOGRAPHIC REGION	International
DESCRIPTION OF ETHICAL LEADERSHIP ISSUE OR DILEMMA	<p>A student posted homophobic and anti-Semitic remarks on Facebook. The institution's policies on free expression were invoked. They forbid "merely offensive" and "harmful" speech. The student government, student newspaper, and Queer Alliance organized a town hall. Consensus emerged that the policy is too weak. After other meetings, the community standards were amended to directly forbid hate speech, defined as highly derogatory or grossly degrading speech that is intended to dehumanize, humiliate, or incite hatred against persons or groups because of their race, religion, gender, sexual orientation, or disability. The institution realizes that the policy in itself is not a full solution.</p>
APPLYING THE AAUA ETHICAL PRINCIPLES	<ul style="list-style-type: none"> ▪ We commit to the highest levels of integrity. ▪ We uphold the values of fairness and equity. ▪ We strive for accuracy and transparency. ▪ We respect confidentiality and protect the privacy of information. ▪ We support the missions of our institutions. ▪ We actively seek support when concerned about an ethical issue.

- **We raise our voices when the ethical standards of our profession are not being upheld.**
- **We pursue professional opportunities to acquire new ethical knowledge and practices.**
- **We actively promote and disseminate these Principles.**

1. Which AAUA Ethical Principles apply to this case and why?

2. A group of administrators identified the following ethical principles as applying to this case. Explain your agreement or disagreement with their choices.

“We uphold the values of fairness and equity.”

“We respect confidentiality and protect the privacy of information.”

“We actively seek support when concerned about and ethical issue.”

“We pursue professional opportunities to acquire new ethical knowledge and practices.”

CONSIDERATIONS

- **Identify relevant facts. (Describe key facts along with any policies, procedure, guidelines, best practices, applicable laws and regulations, and handbooks/internal publications.)**
- **Identify affected parties. (Describe who is impacted.)**
- **Identify who should be involved in any resolution. (Identify who, as well as when and why they should be involved.)**

Here are some considerations. Which ones do you consider relevant? Irrelevant? What else should be considered?

- a. What are the current policies as expressed in the student handbook on free expression?
- b. What are the current practices in terms of cultural training for students, faculty, staff, and administrators?
- c. What were the training objectives and requirements for faculty, students, and other related staff members?
- d. What constituencies are required to partake in training?

QUESTIONS TO ASK

- e. What are possible options that administrators could potentially implement?
- f. Who else is impacted and why?
- g. What else is needed to make any further decision?

For discussion . . .

- **What is important?**
- **What information is relevant? Irrelevant?**
- **What are the priorities?**
- **How does this case affect the institution and stakeholders?**
- **What are the consequences of potential actions to be taken?**

1. What are the roles of faculty, individual students, student organizations, and the administration when a conflict emerges?
2. How much of orientation should be devoted to this matter?
3. What if a faculty member is the offender?
4. Does a student have the right to full privacy in use of social media even if his thoughts are offensive to some?
5. Can a student claim the right to "disappear" into his own private media world, which should be of no concern to the institution?
6. Whose job is it (is it anyone's?) to monitor social media, or does the institution remain passive until a complaint is made?
7. Should there be clearly stated penalties or should discipline be administered at the discretion of the dean of students?
8. Should the offended group have some say in the discipline or in handling the aftermath?

POSSIBLE COURSES OF ACTION

- **Check relevant facts and procedures and review legal options.**
- **Discuss matters with appropriate personnel.**
- **List actions that should be taken, and by whom.**
- **List policies or procedures to be reviewed, revised, or created.**

Here are some possible courses of action. As an administrator applying the AAUA ethical principles, what additional courses of action should be taken?

1. What kind of training options should be made available to administrators? Faculty? Students?
2. Should training be mandatory, what kinds need to be mandatory, and to what extent?
3. What policies, practices, and procedures need to be reconsidered?
4. What is the best course of action for the institution? The faculty? The students? The community?
5. What kind of communication strategy is needed from the institution?
6. What else?

SUPPLEMENTAL MATERIALS AND REFERENCES

Sometimes additional materials are needed to fully discuss a case. Some possible supplemental materials and references are shared below. What additional references do you suggest?

Additional Materials

- (a) Faculty Handbook
- (b) Student Code of Conduct (student rights section)

References

- AAUP. (2009). Statement on professional ethics. American Association of University Professors. Retrieved from: <https://www.aaup.org/report/statement-professional-ethics>
- Brown, E. B., & Trevino, L.K. (2006). Ethical leadership: A review and future directions. *The Leadership Quarterly* 17. 595-619. Retrieved from: <https://www.sciencedirect.com/science/article/pii/S104898430600110X?via%3Dihub>
- Keenan, J.F. (2015). *University ethics: How colleges can build and benefit from a culture of ethics*. New York, NY: Rowman & Littlefield

AN INTERPRETIVE GLOSSARY

AAUP: American Association of University professors, represents many faculty units and is famous for the 1940 Statement on Academic Freedom and Tenure and the 2009 Statement on Professional Ethics.

Academic Freedom: Endorsed by nearly all institutions, it protects a faculty member's right to teach and publish within his or her field of expertise. It does not protect expressions of every kind, particularly those outside the area of expertise.

Accreditation: (Regional) Non-governmental, voluntary, peer evaluation system that affirms an institution is in compliance with a set of standards approved and accepted by the membership in a region of the country. (Specialized) A compliance effort focused on a particular field of study with its own voluntary standards set by the members or professional groups.

Adjunct Faculty: Generally, faculty members who are not employed full time and who do not have a share of the institution's benefits or guarantees of reappointment. They also do not share in the governance of the institution, and they are increasing as a share of the teaching force.

AGB: The Association of Governing Boards, offers extensive resources for the training and conduct of the governing boards of public, private, and proprietary institutions.

Assessment: Various methods of analyzing the quality of an institution's academics, student services, and management. The regional accreditation agencies are a major force in requiring and advancing assessment.

Benefactor: A donor to an institution. Controversies may occur when a benefactor implies or states conditions that relate to the gift such that the administration's authority is affected.

Board (Governing Board, Trustees, etc.): The group of citizens who are entrusted with the charter of the institution and who are expected to oversee and protect its mission. The board structure can take many forms depending upon the type of institution. Generally, the board is forbidden to interfere with the day-to-day running of the institution.

Clinical Programs: Fields of study that require supervised work outside of the classroom. The limiting enrollment factor is often the number of approved spaces in clinical rotations and the number of supervisors

Community Standards: Generally, a set of rules, regulations, and policies that define the behaviors which are accepted by or forbidden to a student body. Among the many sections may be social media, free expression, harassment, cultural sensitivity, campus

civility, and Greek Life. Some standards have been criticized as examples of political correctness that inhibit students' legitimate freedom.

Conflict of Interest: Any actual, potential, or perceived activity that may affect a person's ability to conduct responsibilities in complete honesty and fairness. Faculty, administrators, board members, and benefactors may all have conflicts. Many institutions require that staff and board members complete an annual survey revealing any activities that could be considered a conflict.

Faith-Based Institution: An institution that has a stated association with a religious organization. Conflicts may occur between the support for the religion's doctrines and the traditional understanding of academic freedom. Courts have agreed that such institutions have the right to require statements of faith from the faculty and staff.

HBCU: Historically Black College or University. An institution that was founded during a period of segregation to serve African-American students. Today most enroll students of any race. Certain grant programs in the US Department of Education and some private donors dedicate portions of funding to them.

Licensing: Certain fields of study lead to careers that require a license obtained from the state or a professional organization (teaching, nursing, law, and medicine are all examples). For these programs, passing rates on the licensing exams are a primary form of assessment.

Mission: A general statement of the main purposes of an institution. It will often include remarks on the aspirations for students, the mix of graduate and undergraduate degrees, the emphases on teaching and research, and the affiliation with founding groups.

NCAA: National Collegiate Athletic Association, the governing body for most college athletic programs and leagues. Its rules are intended to assure competitive fairness and prevent the exploitation of athletes by their institutions or outside groups.

No Confidence Vote: The official decision by a faculty union or senate that it does not have faith in the president or other official. Since the faculty does not have the authority to dismiss a president, this vote is non-binding. The governing board is the only group that has the authority to appoint or remove the president.

Private Consulting: Work done by a faculty member or administrator outside of the institution, usually for compensation. Abuses can occur when an individual's responsibility to the institution is compromised by the time given to the work or by the misuse of the institution's resources.

Provost: The senior academic administrator, sometimes called the vice president for academic affairs or other titles. Usually considered the second in command after the president or chancellor.

Research Center: A unit that has as its primary purpose the conduct of research rather than teaching or public service. Centers can be funded in many ways including exclusively by outside organizations and private individuals or by combinations of them and the institution itself. In many cases the center is seeking to commercialize products.

Shared Governance: The balance of powers relegated to the governing board, the administration, the faculty, and sometimes the student body or the general public. This balance is clearly stated in various handbooks, bylaws, and policy statements published by the institution. Conflicts can occur between or among any of these groups, so an important part of these works are procedures for conflict resolution.

Stakeholders (Constituents): All the individuals and groups that have a legitimate interest in the institution. This includes the board, the faculty, the administration, the students, the alumni, employers, and the general public. For public institutions it may also include elected officials. Some of these groups have a role in shared governance. See above item.

Title XI: A 1972 federal law requiring non-discrimination in all aspects of schooling for any institution receiving federal funds in any form. It requires fairness in all areas of access to institutional resources. It has had a major impact on campus life and on the reporting institutions must do to the federal government. It was influential in increasing opportunities in women's athletics.

Tenure: After a probationary period (usually seven years) the right of a faculty member to a permanent appointment with the institution. All during the probation time, the faculty member undergoes peer review by colleagues and sometimes external experts as well. The main categories are teaching, scholarship, and service to the institution or the wider community. Historically, moral turpitude has been the only reason that tenure can be removed. Tenured faculty members are declining as a percentage of the teaching force.

History of AAUA—American Association of University Administrators

The American Association of University Administrators (AAUA) was founded in 1970 in Buffalo, NY. The original members included administrators from nearby state institutions, private colleges and universities, community colleges, and other institutions. The original motivation for the founding was admittedly protectionist. A number of administrative staff members had been relieved of their positions around the country without any form of due process or appeal. In many cases no administrative handbook or policy statements existed, and individuals had no recourse but the courts, where the institutions had the advantage of experienced general and staff counsels. The AAUA members, when approached, would come to the aid of aggrieved individuals with letters of support, informal legal counselling, expert witnessing if requested, and sometimes, emotional support or commiseration. In general, these efforts proved ineffective and, in some cases, put the association at risk. The Association had no power to force or compel fair practices or to exact remedies from any institution. The practices fell into neglect and have long since been abandoned and replaced by the traditional academic methods of an annual conference, a journal, awards, and occasional statements on key issues in higher education.

The early years of AAUA included some unique individuals who had an impact on the development of the Association. Roscoe C. Brown, Jr. was a member of the Tuskegee Airmen, the African-American fighter squadron that fought over Europe in World War II. He shot down one of the German ME-262 jets and several piston aircraft as well. After the war he earned his doctorate and became president of Kingsborough Community College in Brooklyn. John Blackburn had a career as the Dean of Men at Alabama, then went to the University of Denver to become the first vice president for college relations. He then returned to Alabama to assume the chief student affairs position there. Nikolai Khaladjan was a Russian émigré who had developed in the Soviet Union a distance education program based on mail correspondence. During the Soviet period this kind of independent educational effort was frowned upon, but he did not yield to any threat from the government. Jerry Zoffer was the dean of business at Pittsburgh and directed the dissertation awards for many years. He would take over the awards ceremony with wry and insightful comments on the awardees' work. Katherine Gira was president at several institutions in the Maryland system and hosted the Association several times in Baltimore.

Stephen J. Trachtenberg was president at George Washington University. He hosted several board meetings and assemblies, as the annual meeting was called then, and has become one of the sages of higher education in America.

One valuable outcome of these early years was a hyper awareness that administration is a profession and like other professions should have some basic and defensible rights and responsibilities regardless of the institutional situation. A committee led by Rev. William McGinnis, S.J. and Rev. Edmund Ryan, S.J. developed a Statement of Rights and

Responsibilities that enumerated the original AAUA rights and responsibilities. The authors hoped that this statement would become a foundation of administrative handbooks and policy statements. The statement was one of the first efforts to delineate specific ethical concerns for college and university administrators. As the profession matured, more and more of these rights did work their way into practice. Such rights as a written contract, a regular evaluation, the assistance in job searches after dismissal, and professional development are now more common.

The AAUA has held an annual meeting every year since 1972, except 2012 when a hurricane shut off the power at Delaware Valley College and delayed the meeting until spring 2013.

The meetings, now called the Leadership Seminar, covered every important topic in higher education over the decades. Chief among them have been good practices in administration, recognition of excellent leaders, dissertation research, and the current challenges to higher education. Conflicts of values also took a front seat, and the study of those conflicts has been the motivator for the original Statement of Rights and Responsibilities and the 2017 Ethical Principles for College and University Administrators.

**AAUA—AMERICAN ASSOCIATION OF UNIVERSITY ADMINISTRATORS
2019-2020 BOARD OF DIRECTORS**

Michele Cuomo (Chairperson, Board of Directors), Dean, Arts & Communication, Seminole State College.

Christine Cavanaugh (Chairperson-elect, Board of Directors), President and Executive Coach, Pathseekers II, Inc.

Jerome E. Neuner (Vice Chairperson—Awards, Board of Directors), Associate Vice President for Academic Affairs (*retired*), Canisius College.

J. A. Eve Krahe Billings (Vice Chairperson—Professional Development, Board of Directors), Dean, Graduate Programs, School of Health Services Administration, College of Health Professions, University of Phoenix.

Karen M. Lee (Vice Chairperson—Membership, Board of Directors), Associate Vice President for Academic Administration, University of Detroit Mercy.

Sydney Freeman, Jr. (Vice Chairperson—Publications, Board of Directors), Associate Professor of Higher Education, University of Idaho.

C. Eric Kirkland (Immediate Past-Chairperson, Board of Directors), Executive Vice President, Salem University.

Damon P. S. Andrew, Dean, College of Education, Florida State University.

Raymond Bandlow (2022), Director, Graduate Studies in Educational Leadership, Gwynedd Mercy University.

Joe Bertolino (2022), President, Southern Connecticut State University.

Donald Birx (2021), President, Plymouth State University.

Christopher Blake (2020), President, Middle Georgia State University.

Thomas J. Botzman (2021), President, Misericordia University.

M. Christopher Brown, II (2020), President, Kentucky State University.

Daniel Campbell (2020), Director of Assessment and Accreditation, College of Education, Health, and Human Services, University of Idaho.

John C. Cavanaugh (2022), President and Chief Executive Officer, Consortium of Universities of the Washington Metropolitan Area.

Boyd Copeland, III (2022), Executive Dean of Student Life, Saint Charles Community College.

Colin M. Coyne (2020), Chief Strategy Officer, Samford University.

Judson C. Edwards (2020), Dean, Sorrell College of Business, Troy University.

Kenneth England (2020), Vice President for Business and Finance, Agnes Scott College.

Henry Findlay (2022), Professor and Assistant Dean, School of Education; Director of Continuing Education, Tuskegee University.

L. Dean Fisher (2021), Provost, Corning Community College (State University of New York).

Amy K. Fitzgerald (2021), Senior Director, Global Health Collaboratory, Edson College of Nursing and Health Innovation, Arizona State University.

Elizabeth A. Gill (2021), Vice President for Academic Affairs, Austin College.

Sr. Ann M. Heath, I.H.M. (2020), Director, Doctoral Program in Higher Education, Immaculata University.

Robert W. Hill (2020), Visiting Professor of Education, Savannah State University; and Higher Education Consultant, L&P Specialists.

William Hill (2021), Assistant Dean, College of Education, Wayne State University.

Chris Hubbard Jackson (2021), Director of Research, Saint Charles Community College.

Rushondra J. James (2021), Assistant Dean for Student Services, College of Information and Communications, University of South Carolina.

Rabbi Josh Joseph (2022), Senior Vice President, Yeshiva University.

Dan L. King (*ex-officio*), President and Chief Executive Officer, American Association of University Administrators.

Pedro Martinez (2020), Provost, Central State University.

Scott E. Miller (2020) Dean of the School of Business, and Dean of the College of Arts, Humanities and Social Sciences, Edinboro University.

Tye V. Minckler (2020), Vice Chancellor for Finance and Administration, University of Washington – Tacoma.

Roland W. Mitchell (2021), Dean, College of Human Sciences and Education, Louisiana State University.

Rachael Murphey-Brown (2022), Academic Dean, Trinity College of Arts & Sciences, Duke University.

James M. Owston (2022), Assistant Provost for Extended Learning, Alderson Broaddus University.

Rose Rossi Schwartz (2022), Associate Dean for Academic Affairs, School of Nursing, Widener University.

Lance E. Tatum (2021), Vice Chancellor, Montgomery Campus, Troy University.

Neil Trotta (2022), Assistant Dean, School of Graduate Studies, Fisher College.

Clara Wajngurt (2021), Professor of Mathematics, Queensborough Community College (City University of New York).

Shelley B. Wepner (2021), Dean, School of Education, Manhattanville College.

Helen Easterling Williams (2022), Dean, Graduate School of Education and Psychology, Pepperdine University.

Ronald A. Wilson (2022), Vice President for Equity & Inclusion and Title IX Coordinator, University of Arizona.

Julie E. Wollman (2020), President, Widener University.

