From the inside out: A hermeneutic phenomenological exploration of the ethical dilemmas and lived experience of an associate dean

by

Joel Raymond Murray

M.A., University of British Columbia, 1999
B.A., University of British Columbia, 1981

Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of Doctor of Philosophy in the Educational Leadership in Post-Secondary Contexts Program Faculty of Education

© Joel Raymond Murray 2018

SIMON FRASER UNIVERSITY

Spring 2018
Approval

Name: Joel Raymond Murray
Degree: Doctor of Education
Title: From the inside out: A hermeneutic phenomenological exploration of the ethical dilemmas and lived experience of an associate dean

Examinig Committee: Chair: Michelle Pidgeon
Ann Chinnery
Senior Supervisor
Associate Professor

Michael Ling
Supervisor
Senior Lecturer

Robin Brayne
Internal Examiner
Adjunct Professor

Glen Jones
External Examiner
Professor

Date Defended/Approved: January 12, 2018
Abstract

Academic administrators in the post-secondary environment, such as deans and associate deans, must make difficult, far-reaching decisions in demanding situations almost daily. Researchers have acknowledged the necessity of moral or ethical decision-making for academic administrators, but they have focused primarily on administrators in the kindergarten-to-grade-twelve system. Thus, little is known about how post-secondary academic administrators arrive at their decisions, many of which demand ethical judgements.

In this thesis, I examine from a perspective I call “from the inside looking out” my experiences in my role of associate dean at a large suburban university as I resolve ethical dilemmas in my practice. In the past, most research exploring how academic administrators resolve ethical dilemmas has been written using the traditional approach that van Manen (1990) characterizes as being typical of the natural sciences, one which is concerned with knowledge that is generalizable, using procedures that are reproducible and examining participants and samples that are replaceable. This perspective is what I call an “outside-looking-in” approach and does not, I believe, take into account the lived experience of the researcher: it wants for an “inside-looking-out” perspective.

To provide this “inside-looking-out” viewpoint, I use a hermeneutic phenomenological approach to analyze three experiences, what I term “scenarios,” that I have encountered as an associate dean: the first involves the performance evaluation of a contract professor, the second a case of plagiarism, and the third a case of accommodation for a student. I examine these scenarios through the lenses of two moral frameworks, Rawls’ (2001) *Justice as fairness* and Blum’s (1994) focus on moral perception and particularity, and I discuss the consequences, such as moral distress and moral residue, for academic administrators.

The relating of my lived experience and the analysis of my scenarios and the discussion of the effects arising from them should serve to help current or future academic administrators as they learn about resolving their own ethical dilemmas in their practice.

**Keywords:** ethical dilemmas; moral frameworks; hermeneutic phenomenology; lived experience; John Rawls; Lawrence A. Blum
To my family: Mimi, my wife and best friend, and Tyler and Tia, my son and daughter and most ardent supporters. Without you, none of my successes would be possible
Acknowledgements

As is usual in an extended work of this nature, I have many people to recognize. First, I owe a debt of heartfelt gratitude to Dr. Ann Chinnery for her expert guidance and unparalleled support as my senior supervisor. She treated me not as a student but as an equal, and for that, I was highly appreciative. As my doctoral work draws to a close, I will truly miss meeting with Ann not only to discuss my progress but also to chat about our work in the field of higher education. I am privileged to have had such a wonderful supervisor. Thank you, as well, to Dr. Michael Ling. Your feedback and guidance have been invaluable as well.

Of course, I must thank my family: my wife, Mimi, and my grown children Tyler and Tia. You're my biggest fans and greatest supporters. You know that I couldn't do what I do without you right behind me, cheering me on.

I also thank my employer, the large, suburban post-secondary institution to which I refer in my thesis. My work environment has been especially supportive, as has my Provost and Vice President Academic, Dr. Salvador Ferreras; my Dean, Dr. Elizabeth Worobec; my Divisional Business Manager, Lana Mihell; and all my colleagues with whom I work in the Dean's Office.

To conclude, I have to thank my brother Frank, for his support through the years of my doctoral studies, and especially my mother. Mom, you can finally say, “my son, the doctor”—just not that kind of doctor.
### Table of Contents

Approval .......................................................................................................................... ii  
Abstract .......................................................................................................................... iii  
Dedication ...................................................................................................................... iv  
Acknowledgements ......................................................................................................... v  
Table of Contents ........................................................................................................... vi  
List of Acronyms............................................................................................................ vii  

#### Chapter 1. Introduction ............................................................................................. 1  

#### Chapter 2. Literature Review ..................................................................................... 7  
Ethics and Educational Leadership .............................................................................. 7  
How Academic Administrators Resolve Dilemmas in Their Practice ..................... 9  
Conclusion .................................................................................................................. 26  

#### Chapter 3. Methodology ............................................................................................ 28  
Reflective Practice ...................................................................................................... 28  
Applicability to Academic Administrators .................................................................. 34  
A More Suitable Methodology ..................................................................................... 37  
A Hermeneutic Phenomenological Approach .......................................................... 40  

#### Chapter 4. Moral Frameworks and Administrative Dilemmas: Three Cases ...... 44  
Ethical Dilemma #1: A Probationary Professor with an Unsatisfactory Performance Review ........................................................... 52  
Analysis ..................................................................................................................... 60  
Ethical Dilemma #2: Student Academic Misconduct and a Grade Appeal ..................... 66  
Analysis ..................................................................................................................... 71  
Ethical Dilemma #3: A Physically-Challenged Student and Accommodation .............. 77  
Consequences for Academic Administrators .......................................................... 87  

#### Chapter 5. Implications for Future Research ........................................................... 92  
Revisiting Existing Research: From Outside-Looking-In to Inside-Looking-Out .......... 92  
Future Research: Lived Experience and Other Moral Frameworks ......................... 93  
Other Inside-Looking-Out Perspectives .................................................................... 95  
Further Research Regarding Moral Distress and Moral Residue ............................. 96  

#### Chapter 6. Conclusion ............................................................................................. 102  

References .................................................................................................................... 106
List of Acronyms

BC       British Columbia
EPI      Ethical Perspectives Instrument
FA       Faculty Association
K-12     Kindergarten to grade twelve
VP-G     Vice President, Grievances
Chapter 1.

Introduction

Academic administrators in the post-secondary environment, such as deans and associate deans, must make difficult decisions in challenging situations on an almost daily basis. For instance, they are often called upon by students, parents, professors, employees, and even other administrators to resolve ethical dilemmas almost immediately after being appointed to their positions, yet for the most part, they have little to no training in that aspect of the job. In fact, most of these administrators are former researchers or instructors with extensive scholarly or classroom experience, whose primary concerns prior to becoming administrators were to lecture, publish, and perform the myriad other duties characteristic of the post-secondary world (e.g., planning and preparing for their lectures, marking papers and the like, supervising graduate students, doing committee work, performing service to the community, and so on). How, then, do these former researchers and classroom teachers arrive at decisions as academic administrators—decisions that call for ethical judgements, the ramifications of which can be crucial and far-reaching? What can we learn from them?

To provide some background to my inquiry, as an academic administrator myself, I began my post-secondary career in the classroom. I am currently employed at what is now a large, suburban, special-purpose teaching university in Greater Vancouver, Canada, where I work as the associate dean of a faculty that comprises approximately 135 academic staff members (90 professors and 45 lab staff). Of course, I did not start my career as a post-secondary administrator. After teaching for a number of years in the private school sector, I began my post-secondary career in 2000 as a faculty member at the teaching university mentioned above, which was at that time a “university college,” that is, one of five former community colleges in British Columbia (BC), Canada, that had been granted the authority in 1995 to confer their own applied bachelor’s degrees. As is
the case with many other post-secondary teachers, I was hired initially as a sessional or contract instructor—that is, a professor who is employed on short-term contracts that may or may not lead to a more permanent status and ongoing academic employment. After working full-time and receiving such contracts for two years, as per the provisions of the collective agreement in force at the time, I went through a process known as “regularization,” which, in the world of BC colleges, institutes, and special-purpose teaching universities, resembles what is more commonly understood in the traditional university environment as gaining tenure. In other words, after two years, my status changed: I became a “regular” full-time instructor, that is, one with a permanent contract that need not be renewed every semester or every year.

As a full-time instructor, the focus of my work-life was my students, my classes, and my service to the department and to the then-college—an experience very similar to that of the great majority of my colleagues. For my first few years, I did what is common among most classroom instructors at the post-secondary level: I concentrated on preparing for my courses, ensuring that my students were achieving the objectives of the courses that I taught, honing my teaching technique, and doing my committee work for the department and for the institution (publishing and research were not a requirement of the position). I was not really aware of anyone other than my teaching colleagues, the chair of my department (a fellow instructor), and my students—nor did I need to be. Of course, I knew that there was a dean of the faculty (known as a “division” at that time), since he was present at my interview, ultimately hired me, and offered me contracts via e-mail afterwards, but I really did not have many dealings with him otherwise. He did not play a role in my daily post-secondary experience. In those years, I therefore did not have much contact with or even knowledge of administrators at my institution. Three years later, when I became the co-chair of my department, I had a little more contact with the then-dean of the division because of my position, but even so, my knowledge of administrators and the work that they did was minimal. Like many of my colleagues in the department, I had no idea, nor particularly cared, what administrators did nor how they reached their decisions.

It was not until almost a decade later, when the university college had by provincial government decree been transformed into a university in 2008, that I began to have more contact with administrators. Before continuing, to provide some context to the shift and the
post-secondary landscape in BC, my university and four others in the province, previously colleges but at that time, university colleges, were among the original 19 colleges found throughout the province, most of which date their origins back to the mid-twentieth century. The former Attorney General of BC, Geoff Plant (2007), produced for the government a report entitled “Campus 2020: Thinking Ahead.” The report was touted as being the “first comprehensive look at higher education in British Columbia in 45 years” (p. 3) that would result in “setting clear, concrete and measurable targets” (p. 3). One of those targets was the change in the designation from “university college” (see above for the definition) to “regional university,” a change which was “intended to give greater emphasis to the idea of regional learning, and to provide ‘access for all’ to a wide range of learning opportunities around the province” (p. 66). Regardless of the university status, for the most part, these new regional universities maintained the same practices and working conditions as before. As a result, there now exists in BC a distinction between the regional universities and what is known as the research universities (Simon Fraser University, University of British Columbia, University of Northern British Columbia, and University of Victoria).

To return to an explanation of my contact with administrators, in 2009, I became a faculty association (FA) table officer and through my union work, I developed a small sense, albeit one coloured by my position within the union, of what administrators did and how they possibly reached their decisions. In the FA, I held a variety of positions yet still taught part-time, with the exception being the last position, that of Vice President, Grievances (VP-G). For two years as a full-time VP-G, I represented members in their dealings with the “Employer,” as administration is known in the world of labour. In the FA, the VP-G is involved in all grievances; as a result, owing to the type of work that I was doing at the time, work that pitted me representing my members against the Employer, I viewed the university’s administrative team as a monolithic entity; although it comprised individuals acting in such positions as associate dean, dean, director, vice president, and the like, from my perspective in the union, all academic administrators appeared to act uniformly. At the time, I came to believe that their decisions seemed so rigidly to reflect university policy that there were no ethical dilemmas for them to resolve. They seemed to make their decisions according to policy, with the “company line” in mind, and with little ability—or inclination, for that matter, I felt—to come to their own decisions.
Before continuing, I will define “ethical dilemma” as the term is used in this thesis. Braunack-Mayer (2001) notes that ethical dilemmas have been described as “situations in which, on moral grounds, persons ought both to do and not do something” (p. 99). Catacutan and de Guzman (2016) review a variety of common definitions of ethical dilemmas—for example, they note that Kidder (1995) refers to the “difficulty in deciding over two equally legitimate yet competing values [as] ‘right vs. right.’” (p. 492)—and arrive at the following: “ethical dilemmas are categorized … in terms of the conflicting values that underlie the choices a decision maker needs to make” (p. 492). For the purposes of this thesis, however, the term “ethical dilemma” will refer to those situations in which academic administrators are forced to act against their values or their best judgement.

Even with my experience in the FA, and although I had had some experience with administrators because of my position as VP-G, I was still essentially an instructor with little firsthand knowledge of academic administrators and how they performed their jobs. In late 2012, I had the opportunity to apply for the position of interim associate dean of the faculty in which I taught. After spending six years as a co-chair and learning about the institution, I felt that I had talents that could be of use in a higher-level administrative position. Much to the disappointment of my union colleagues, the search committee agreed: I was the successful candidate, so I left the union at the end of 2012.

Like other newly-hired academic administrators emerging from the ranks of the professoriate, I had no professional training in administration when I began my appointment at the beginning of January, 2013. To be brief, I was shown where my office was, and I was then expected to sit down and start doing my job. Shortly afterwards, perhaps after only two or three weeks in the Dean’s Office, I was surprised to observe the dean to whom I reported at the time making certain difficult decisions that were counter to policy or the “company line.” She seemed to rely upon her own feelings as to what was “right” to arrive at her decisions. Less than a month after my appointment, I came to the realization that my previously held view of administrators was erroneous: I discovered that not only my dean at the time but also other deans and associate deans at my institution, all former classroom instructors themselves, did not act uniformly according to policy after all. Instead, they seemed to rely on something else to resolve difficult situations that called for some sort of ethical judgement.
Because of my being hired as an interim associate dean, I also discovered by necessity just what associate deans do. At my university, deans and associate deans are academic administrators or supervisors who are in positions of responsibility. Deans work at a high level and are primarily responsible for the overall budget of their administrative area (known as a division or faculty), stewardship concerning the general direction of the faculty, and community outreach. Deans are the “face” of the faculty. In contrast, associate deans directly supervise faculty members and academic staff and manage their issues and concerns; they deal with students and their issues and concerns as well. The position requires associate deans not only to work on an operational or procedural level (e.g., watching registration numbers and cancelling or adding sections if necessary), but also to make a number of crucial administrative decisions on an almost-daily basis, many of which involve resolving ethical dilemmas that directly involve faculty members and academic staff (e.g., assessing whether a contract faculty member should be considered for future work after an unsatisfactory probationary performance assessment) or students (e.g., determining whether a grade appeal has merit or whether academic dishonesty has taken place and if it has, what type of discipline will be meted out). Moreover, these decisions are often high-stakes with far-reaching ramifications, and the result—good or bad—of their decisions is usually evident within a very short period of time, if not immediately, after they have been made or the dilemma resolved.

As mentioned previously, most academic administrators in the post-secondary context share a common background in that almost without exception, all were researchers or classroom teachers who became administrators. That academic administrators are not formally trained in administration yet are expected to render critical decisions on important ethical dilemmas almost immediately after being hired, then, begs the question: how do academic administrators—in my case, associate deans—resolve ethical dilemmas in their practice?

How administrators in the post-secondary context resolve ethical dilemmas in their practice is an important question to ask. One reason is that the question is ill-addressed in the education leadership literature. Researchers recognize the necessity of moral or ethical decision-making for academic administrators, but they have focused mostly on those in the kindergarten-to-grade-twelve (K-12) system: principals, vice-principals, and
the like. Some research has focused on academic administrators in the post-secondary context, but comparatively little. In addition, regardless of which academic administrators are being examined, researchers investigating how academic administrators resolve ethical dilemmas in their practice have largely adopted an empirical approach to their work. These researchers, few of whom are academic administrators themselves, have attempted to understand how administrators in the K-12 system and to a lesser extent in the post-secondary context resolve ethical dilemmas as if by proxy through examining others—i.e., participants. This traditional approach and research, according to van Manen (1990), is typical of the natural sciences and is concerned both with knowledge that is “generalizable” (p. 6) and with procedures that can be reproduced through examining subjects and samples that are “replaceable” (p. 7). This “outside looking in” approach does not account for the lived experience of the researcher her- or himself; that is, the traditional approach within the current literature lacks the rich description of the lived experience of an academic administrator in the post-secondary context from his or her own perspective. As will be explained later, the current literature, in other words, wants for an “inside-looking-out” approach.

This “inside-looking-out” perspective is another reason that the question is significant. As mentioned earlier, academic administrators new to their positions lack formal training to help them resolve ethical dilemmas in their practice, yet the nature of the position demands that they do so from first hire. Many do resolve these dilemmas, perhaps resorting to the same type of decision-making they employ in their lives outside their institutions, yet it is unknown how they reach their decisions or whether the decisions reached in this way are appropriate. Furthermore, as noted earlier, the literature has focused primarily on administrators in the K-12 context, and researchers have for the most part used a traditional empirical (“outside looking in”) approach, rather than one that explains from an academic administrator’s first-person point of view (“inside looking out”) what it is like to be an associate dean in resolving ethical dilemmas in his practice. It is essential to address this gap for the sake of understanding and guidance; in this thesis, I thus examine my work-experience as an associate dean, expressed in three scenarios, in resolving ethical dilemmas in my practice. The recounting of my lived experience may serve, at least partially, as a guide to help current or future academic administrators facing ethical dilemmas in their own practice.
Chapter 2.

Literature Review

How do academic administrators make decisions in challenging situations? More specifically, how do academic administrators in the post-secondary context resolve ethical dilemmas in their practice? In order to explore answers to this question, it is first helpful to have a basic understanding of ethics. Ethics, for Velasquez, Andre, Shanks, & Meyer (2010), refers to “two things: well-founded standards of right and wrong that prescribe what humans ought to do … [and] the study and development of one’s ethical standards.” More to the point for this thesis, ethics is described as “making choices, and about providing reasons why we should make these choices” (Bonde, Firenze, et al., 2013, p. 1). Ethics is usually divided into three areas: meta-ethics, which is concerned with the nature of the right or good; applied ethics, which is concerned with the issues in private or public life that are matters for ethical judgements; and normative ethics, which is concerned with the standards and principles used to determine whether something is right or good (p. 5). Within normative ethics, there are three frameworks: the consequentialist framework, the duty framework, and the virtue framework. Although it is beyond the scope of this thesis to discuss each framework in depth, in brief, the consequentialist framework focuses on future effects of actions (“if I do this now, what is the future effect?”), the duty framework focuses on duties and obligations that people have in a certain situation (“given the situation, what am I obligated to do?”), and the virtue framework focuses on character traits that motivate people in a certain situation (“if I want to be a good person in this situation, what should I do?”). Because academic administrators such as associate deans must make a number of crucial decisions on a regular basis, to answer the question as to how they resolve ethical dilemmas in their practice, the studies in this literature review will be examined, at least partially, from a normative ethics perspective in terms of these three frameworks.

Ethics and Educational Leadership

Why is a basic understanding of ethics important, and what is the relationship to educational leadership? Minnis (2011) states that “there has been a renewed interest in
the inclusion of ethics as part of educators’ training and interest in understanding the moral and ethical dimensions of educational practice” (p. v). Bush, Bell, & Middlewood (2010) observe that educational leadership, in addition to and separate from educational management, has become important in the field of education because “there is growing recognition … that schools and other educational organisations need to be led capably as well as being managed competently” (p. xii). Begley (2010) notes that to this end, educational researchers and practitioners have recently paid a great deal of attention to ethics in educational leadership, and he attributes this to the growth in societal diversity, among a number of other factors, such as the rise of the Internet and the challenges that it presents (e.g., cyber-bullying, copyright infringement) and the then-recent decline of the global economy, which had occurred in 2008 prior to the publishing of the chapter in 2010. To Begley, these are “just the latest, if not grandest, examples of persistent and troubling challenges to the well-being and survival of our society that can be at least partly explained as the outcomes of unethical actions” (p. 31).

Begley (2010) maintains that these factors and others have caused educational administrators to re-familiarize themselves with basic ethical principles and the purposes of education so that their leadership is purpose-driven (p. 32). As a result, through the remainder of his chapter, Begley discusses a number of different topics related to ethics and leadership, such as leading with moral purpose (i.e., “to keep [administrators’] professional goals and purposes at the forefront of their administrative practices” (p. 33)); the special purposes of education, as per Hodgkinson (1991); an explanation of the terminology (i.e., the definitions of “morals,” “values,” and “ethics”); perspectives on moral leadership; the ethical paradigms of critique, care, justice, profession, and community; and how leaders respond to moral dilemmas. To conclude, Begley (2010) argues that administrators need management skills, but these skills on their own are not sufficient: administrators must “have … a strong sense of moral purpose. They need to be able to … navigate through multiple and competing interests” (p. 52)—hence, the recent attention to ethics.

Also paying attention to ethics in educational leadership are Shapiro & Stefkovich (2011), whose aim is to help educational leaders by examining ethical paradigms through a case study approach, to review different theoretical approaches, and to help instructors
who intend to develop their own units or courses on ethics. The authors divide their text into three parts, the first of which explores ethical practice and paradigms. Shapiro & Stefkovich begin this section by discussing two definitions of “ethics”: paraphrasing Dewey, they state that “ethics” is “the science that deals with conduct insofar as this is considered to be right or wrong, good or bad, … [and] disposition or character, customs, and approved ways of acting” (p. 10). Noting that these definitions beg the questions “ethics approved by whom? Right or wrong according to whom?” (p. 10), the authors provide an overview of three kinds of ethics that are influential in educational leadership—justice, critique, and care—and add one further model, profession, which they discuss in detail (these four ethics will be further defined below). In the second part of their text, Shapiro & Stefkovich (2011) analyze paradoxical dilemmas as they relate to education—e.g., “individual rights versus community standards” (p. 33) and “religion versus culture” (p. 95)—through a case study approach. Each chapter comprises an introductory passage which discusses in general the ethical dilemma, followed by the case study, and after that, a set of questions. The authors’ intention in this section is to help educational leaders and administrators reflect on the dilemmas and be prepared to make knowledgeable decisions in the future. In the final section, Shapiro & Stefkovich (2011) acknowledge that scholars recognize the value of ethics for educators and administrators but cannot come to terms on how ethics should be taught. For this reason, the authors discuss teaching and ethics from their own perspective “to serve as a rubric to discuss our methods of teaching ethics and how this approach is carried out with diverse students” (p. 179). They relate their own “stories” and detail their pedagogies and the issues they faced.

Both Begley (2010) and Shapiro and Stefkovich (2011) make strong cases for the role of ethics in leadership. They all note that educational administration is more than simply management, and that administrators need more than just “description or emulation of the practices of others” (Begley, 2010, p. 53). Each agrees that ethical leadership practices are necessary for administrators to handle the ethical dilemmas that make up much of their work today.

How Academic Administrators Resolve Dilemmas in Their Practice

To return to the question of how academic administrators resolve ethical dilemmas in their practice, Catacutan & de Guzman (2015) observed that “ethical decision-making
in school administration has received considerable attention in educational leadership literature” (p. 483), and indeed, a preliminary review of the literature reveals a significant body of work. For example, Begley & Johansson (2008); Catacutan & de Guzman (2015); Cranston, Ehrich, & Kimber (2006); Eyal, Berkovich, & Schwartz (2011); Hicks (2011); Law, Walker, & Dimmock (2003); Minnis (2011); Wepner, D’Onofrio, & Wilhite (2008); and Zupan (2012) represent a sample of researchers who have touched upon the topic. However, much of the research focuses on administrators in the K-12 sector, and of those administrators, the bulk of the focus is on principals. Little research, as both Catacutan & Guzman (2015) and Wepner, D’Onofrio, & Wilhite (2008) observe, has focused on academic administrators in the post-secondary context such as deans or associate deans. The former observed that “studies that explore ethical reasoning processes of academic deans have been significantly few” (p. 483), while the latter took note of “the paucity of research on the importance of moral reasoning to the leadership of deans” (p. 158).

That said, a small body of research on the ethical dimensions of deans and other academic administrators in the post-secondary context can be found in, for example, Englehardt, et al.’s edited volume, The ethical challenges of academic administration (2010). In the editors’ introduction to the text (Schrag et al., 2010), they note that there is little research on this topic, stating that their collection of essays is “intended as a first word, not a final word on the subject” (p. xiii). Contributors to their volume examine the decision-making of academic administrators and identify a number of considerations, including legal, economic, managerial, and leadership that influence academic administrators’ decision-making. They emphasize, however, that “ethical considerations are also often a component in these decisions” (p. xv) and that any decision-making that does not take ethical considerations into account is “flawed” (p. xv).

Examples of such ethical dimensions include moral recognition, taking the institutional point of view, exercising good ethical judgement, components of ethical judgement, understanding the culture of the institution, moral considerations in good judgement, and so on. They offer advice on how an administrator should engage in ethical deliberation, noting that four essays in the text (Englehardt, Loui, Kline, and Kimball) address how administrators should make ethical decisions. For example, Englehardt (2010) explores cases that have ethical components and discusses how analyzing
problems through an ethical lens can be helpful for post-secondary administrators; Loui (2010) examines the ethics of administrative decisions based on academic policies and reviews examples from his own experience administering graduate programs; Kline (2010) looks at “a type of administrative lie” (p. 143) and finds that the justification often used by post-secondary department chairs, consequentialism, is insufficient and “not morally justifiable” (p. 150); and Kimball (2010) details a historical case study in the late nineteenth century concerning the perceived educational merit of degrees from Catholic colleges when considered by Harvard Law School administrators, who contended that Jesuit education was somehow not up to the academic standards of the day. These administrators believed that they were making neutral academic decisions but in reality, their decisions were discriminatory and had their origins in prejudice against Catholicism. This resulted in what Kimball refers to as a paradox, in that the administrators were applying what they believed to be valid academic standards, but they were applying them prejudicially.

Two essays in Englehardt et al. stand out in terms of the ethical dimensions of academic administrators in the post-secondary context and in terms of approaching the “inside-looking-out” perspective mentioned earlier and detailed later in this thesis: Werner (2010) and Pritchard (2010). Werner examines the challenges she faced when she was appointed interim associate dean, what she refers to as a “move to the “dark side” (p. 38). Like other researchers, she notes that there is little in the literature “that provides guidance for new administrators” (p. 38), especially those in an interim academic administrative position. She calls this temporary position a “bifurcated role” (p. 38) because those people in an interim administrative position are soon to return to faculty status. This eventuality results in a unique perspective on the ethical challenges faced by an interim academic administrator, one that Werner uses to provide a framework for those who have taken on such an administrative role.

Werner discusses personal ethics and concludes that “one’s goal, if one strives to live rightly, is to engage in a critical examination of one’s values and to live in accord with one’s duties, commitments, and ideals as much as possible” (p. 39). She relates two cases, one involving a student’s complaint about a professor’s video that the student interprets to be hate speech, and another involving an upset student who had withdrawn
form a course and then had tried to re-register because the surgery that he had had would be covered if his status was full-time. In each case, Werner asks the reader how to respond.

She also discusses professional obligations, which for deans might entail their fiduciary obligations to the institution and their professional, educational obligations, that is, “the obligation to promote and enhance the integrity of their students’ learning experience” (p. 42). Werner points out that these obligations may at times conflict, and relates a case involving a professor with a heavy teaching load that will result in the professor not being able to provide to students a quality learning experience. Finally, she looks at leadership responsibilities and tells of a case involving an interim dean who is advised to ignore a request to make a controversial change in scheduling until the interim dean is appointed dean.

To conclude, Werner refers to the lessons she has learned in terms of the ethical issues she faced as an interim administrator. She states that “sometimes it is difficult to determine the right or best action [while at other times] the right choice is obvious and the challenge is how to implement it” (p. 47). Ultimately, she lands on advising that “human capital is [the] most valuable resource when facing the day-to-day challenges of an administrative job” (p. 47).

Pritchard (2010) begins his essay by discussing academic chairs and the ethical challenges that await them as they enter the position. Contending that “most academic administrators enter their first position without specific training or preparation for what they are about to do” (p. 50), the author details his experiences in what he calls “unfamiliar territory” (p 53) when he was first appointed departmental chair a number of years ago. He details the preparation for the job, the job itself, and getting started on the job. He relates one of the challenges he faced on his first day—"a lengthy and serious letter of complaint urging me to do something" (p. 53) and what he did, and what he recommends others do in response. He also discusses the expectations of the job and expresses what it is like to “go into the trenches” (p. 58) by relating a fictional case in which a chair is in the middle of an ethical problem. Throughout his essay, Pritchard weaves advice from C. K. Gunsalus (2006) text on advice for college administrators, whose text Pritchard quotes,
stating that “such a book would have been quite useful for me 30 some years ago when I first assumed the role of chair of my department” (p. 50). Pritchard provides a first-person perspective that approaches the “inside-looking-out” approach I undertake in what follows.

The fact that a degree of attention to ethical decision-making exists is an indication that there is a great interest in understanding how academic administrators resolve ethical dilemmas in their practice. In any case, researchers have taken different approaches to answering the question. Some (e.g., Begley & Johansson, 2008; Cranston, Ehrich, & Kimber, 2006; Law, Walker, & Dimmock, 2003; Zupan, 2012) have approached the question of how administrators resolve moral dilemmas in their practice indirectly through a discussion of the values of administrators and how certain values affect administrators’ decisions. Wepner, D’Onofrio, and Wilhite (2008) approached the question through the analysis of dimensions of leadership. Others (e.g., Catacutan & de Guzman, 2015; Eyal, Berkovich, & Schwartz, 2011; Minnis, 2011), however, have approached the question directly from the ethics perspective mentioned above. Hicks (2011) approached the question both indirectly and directly through examining both the values and ethics of administrators.

Regardless of whether the researchers have taken a direct or indirect approach, further variation exists in the literature concerning the participants whom the researchers examined. The majority of work (e.g., Begley & Johansson, 2008; Cranston, Ehrich, & Kimber, 2006; Hicks, 2011; Minnis, 2011; Law, Walker, & Dimmock, 2003; Zupan, 2012) centers on administrators in the K-12 context, while only a small amount of research (e.g., Catacutan & de Guzman, 2015; Wepner, D’Onofrio, & Wilhite, 2008) has examined administrators in higher education. A theme common to all of this research, however, is that the majority of researchers, with the exception of Hicks (2011), tackle how academic administrators resolve ethical dilemmas from the perspective of the researcher—not from that of the participants themselves. In other words, the researchers do so from the perspective of a third-party researcher—from a perspective of the “outside looking in,” rather than from the “inside looking out.” Even Hicks (2011), who seemingly approaches his study from the latter perspective in that he himself was a principal, in the end takes an “outside-looking-in” approach to his research because he focuses almost exclusively on results garnered from the participants in his study—other principals. What is missing, then,
is a detailed account of the academic administrators’ (particularly, those in the post-secondary context, such as deans’ or associate deans’) ethical viewpoints from their perspective in their resolving their own ethical dilemmas.

In terms of approaching the question indirectly by looking at values, Begley & Johansson (2008) studied the professional and personal values of administrators in Canada and Sweden in order to determine the influence of personal preference and “trans-rational principles” (i.e., values that “take the form of ethical codes, injunctions or commandments” (p. 427)) on problem-solving and conflicts that these administrators experienced in their work. The authors used action research to collect two sets of data: one from a group of seventeen elementary and secondary school principals in Ontario, Canada, with more than two years’ experience; the other from a group of eighteen experienced school administrators from eight school districts in Umeå, Sweden. The administrators in both groups were asked to write a one- to three-page report on a critical incident experienced on the job and to respond to one-paragraph case situations. Analysis using the motivational bases of “preference, consensus, consequences, and principles” (p. 431) occurred in a three-step process: the first was self-analysis, in which the administrators had to analyze their own responses to the case situations; the second was peer analysis of the responses and analysis in pairs of the administrators’ own analyses; and the third was analysis of the data by the researchers.

The researchers found that personal values were an important factor on the administrators’ decision-making: “the rational value types of consensus and consequences predominate in the valuation processes of school principals [while] trans-rational principles were employed under particular circumstances” (p. 421). Although Begley & Johansson (2008) did not explore directly how the principals in their studies resolved dilemmas in terms of moral frameworks, they made passing references to those touching on consequentialist, duty, and virtue; however, rather than explore these directly in terms of how administrators resolve moral dilemmas, the authors approached the question from a values perspective and concluded that it was the holding of certain values that led to the administrators’ decision-making.
In a paper comparable to Begley & Johansson (2008), Law, Walker, & Dimmock (2003) studied the values of Chinese principals and how these affected the principals’ perception of problems and problem-solving. The researchers investigated decision-making from the perspective of the values, as did Begley & Johansson (2008). Law, Walker, & Dimmock did so, however, in an attempt to develop a theory concerning the influence of the principals’ values on how the principals perceived and managed problems in their schools. The authors noted that their research was guided by five “aims” (p. 503): to identify the principals’ values, to determine the kind of problems the principals faced in their practice, to ascertain whether their values were related to the nature of their problems, to understand how principals dealt with these problems, and to explore how the principals perceived the outcomes of how they coped with the problems they faced. Law, Walker, & Dimmock (2003) chose to focus on the Asian context since most of the research to that point had been centered on Western English-speaking principals and thus, “knowledge has remained grounded in western theoretical paradigms only” (p. 498).

Using a qualitative research methodology, the researchers selected fifteen principals for the study through purposive sampling. These principals were interviewed face-to-face at least twice, with data being collected during the interviews. Using grounded theory, Law, Walker, & Dimmock proposed a “value-based congruence theory” (p. 505) that was based on a typology of the principals that emerged during the analysis of the data. In terms of their guiding aims, the researchers found that the principals’ values were influential in their problem-solving and that their values, perceptions, coping mechanisms, and outcomes corresponded with each other according to type. The authors concluded by asserting that “the theory is … the first of its kind to explicate how Asian principals’ values influence their perceptions and the management of problems and outcomes” (p. 522). As in the previous paper, Law, Walker, & Dimmock (2003) examined values, but the researchers did not explore the influence of moral frameworks on the decision-making of the principals; rather than relating the values to the moral frameworks, the authors held that it was the values themselves that “act as powerful motivators or filters, which predispose principals toward seeing situations in certain ways and taking certain courses of action” (p. 505)—thereby lessening or eliminating the influence that moral frameworks might have had on the decision-making of the Chinese principals.
Also examining administrators in terms of their values was Zupan (2012), who performed a detailed analysis of how administrators arrived at decisions when faced with conflict. The author’s objective was to determine how administrators dealt with personal and professional value conflict in schools, and how they resolved dilemmas arising from these conflicts. To do so, she proposed three research questions: “[H]ow do educational administrators see the role of values in their work? [W]hat types of value conflicts do educational administrators experience? [H]ow do educational administrators resolve conflicts that stem from values issues?” (p. 3).

Zupan used purposive sampling to choose a total of fourteen participants: five were in the author’s doctoral studies cohort and had backgrounds that ranged “from elementary and secondary schools, to post-secondary education and other institutions” (p. 33), while the other nine were of similar work backgrounds to the five in the cohort but shared a common religious background (Catholicism) with the researcher, who worked in the Catholic school system in Ontario, Canada. The participants were interviewed using a semi-structured format. Zupan analyzed the resultant data by organizing it “in numerous tables, charts and graphical figures” (p. 36) in order to draw conclusions, and she used case studies to provide more information about how participants dealt with values conflict.

In answer to the first research question, Zupan found that educational administrators described “values” differently, which the author noted was supported in the literature: “there appears to be very little consensus regarding a common definition or understanding of values” (p. 98). Concerning the second question, Zupan found that educational administrators encountered different types of conflict regularly, albeit most types were related to interpersonal situations. Regarding the third question, Zupan found that administrators used three strategies to respond to values conflicts: “active listening; open dialogue and on-going communication; and restorative justice and mediation practices” (p. 137). As in the previous two studies, Zupan (2012) did not examine the influence of moral frameworks on the resolution of dilemmas. Instead, in referring to the “moral and ethical dilemmas” (p. 1) that administrators faced in making difficult value judgements to determine answers, the researcher maintained that the personal and professional values of administrators were important in how they led others, in that the values that administrators held influenced the choices that they made.
Seemingly unlike the preceding research, Cranston, Ehrich, & Kimber (2006) examined the ethical dilemmas faced by seven Australian academic administrators, who were described as “school heads” (p. 106) of independent schools in the K-12 system. Heads in this context in North America are most often known as principals, but since the Australian education system differs from that found in Canada or the United States, it is important to note that only one of the participants was described as a principal. Of the other six, five were described as “heads” of schools, one was a “head of junior school,” and one was a “deputy principal” (p. 110). It is difficult to ascertain the equivalency of these titles in the North American context, for the authors offered no further explanation.

In any case, the purpose of the research was to investigate the type and scope of the ethical dilemmas the heads experienced. To do so, the authors employed a qualitative research methodology that involved semi-structured interviews with the seven school heads, six of whom were males. The data collected from the principals were analyzed both as they were being collected and afterwards. Once the interviews had been completed, the researchers reviewed the data in order to determine the nature of each participant’s ethical dilemma. The interview records were returned to the participants to ensure that the researchers had accurately captured what the participants had articulated, and once that step was completed, the researchers subjected the data to further analysis in order to categorize them according to “a model of ethical dilemmas developed earlier by the researchers [which] identified a set of 10 forces likely to be at play as individuals confronted their ethical dilemma, together with a series of implications resulting from the decision taken” (p. 110).

The authors found, as they had expected, that all participants agreed that ethical dilemmas emerged in their work on a regular basis. The heads dealt with a variety of dilemmas, but upon further analysis, two types were prominent: “managing poorly performing staff and dealing with student issues of a significant nature” (p. 111). The authors also found that the participants emphasized the need for clear ethical personal values. In examining the values of their institutions and those held by the participants, the researchers found similarities between the two sets of values. Cranston, Ehrich, & Kimber (2006) concluded by stating that an understanding of ethical decision-making is important for school heads and recommended professional development to help administrators cope
with ethical dilemmas. Cranston, Ehrich, & Kimber (2006) seemed at first to differ from the previous research listed in this review in that the authors were to examine ethical dilemmas and decision-making in terms of moral frameworks. However, as in the previous papers, the researchers focused on the values of the administrators. Although they made a reference to “duty of care” (p. 116), the researchers did not go into detail concerning the moral frameworks that the administrators might employ in resolving ethical or moral dilemmas in their practice.

Also approaching the question indirectly, but from the perspective of leadership dimensions, were Wepner, D’Onofrio, & Wilhite (2008), who examined how academic administrators—in this case, education deans at universities in the United States—solved what they characterized as “leadership problems” (p. 153). The authors’ purpose was to examine implications for the professional development of education deans to help them understand how their approach to leadership influenced their own decision-making. Using a qualitative experimental design, the authors interviewed, over the course of more than six years, 27 experienced deans—that is, those with more than six years’ experience in the position—in public and private institutions in seventeen states. In the interviews, the deans were asked to describe how they solved problems in response to 26 questions and a number of “vignettes” (p. 158)—i.e., scenarios. Their answers were codified and analyzed according to a framework developed by the researchers that consisted of four dimensions of leadership: intellectual, emotional, social, and moral (p. 152). Within each of these, the researchers identified a number of themes; for example, within the intellectual dimension, the authors identified seven themes, three examples of which were “defining problems,” “making decisions,” and “seeking information.” The researchers then used the results of the analysis to determine which dimensions the deans used and which themes were dominant.

Wepner, D’Onofrio, & Wilhite found that all deans used all four dimensions, initially framing problems in the intellectual as a starting point for framing problems according to the other three dimensions. The research showed that half of the population of participants “used the duty theme most often [but] there was no other consistent pattern in the use of the other moral themes” (p. 163), but no further details were offered. The researchers used the label “moral” for one of the dimensions, and under this label, responses from the
deans were to be codified to represent “justice,” “duty,” “virtue,” “consequences,” and “well-being,” some of which are considered to be part of moral frameworks (Bonde, Firenze, et al., 2013). However, although they stated that they chose to “focus on the moral dimension … during the third year of research” (p. 158), the authors did not explore in any depth how these related to moral framework underpinnings. Rather than examining how education deans resolved dilemmas in their practice in terms of the moral frameworks noted earlier in this preliminary literature review, the researchers described how education deans framed problems in terms of dimensions of academic leadership and which themes were dominant within each dimension. The authors concluded that “an education dean cannot minimize the impact of his or her daily decision making on the quality of life within the organization” (p. 167), and Wepner, D’Onofrio, & Wilhite (2008) recommended that education deans should focus on their own development as leaders, since the demands of the position—making reasonable decisions quickly while trying to satisfy everyone—make it necessary “to have a strong sense of professional identity that enables [deans] to self-evaluate how their decisions impact their faculty, students, colleague administrators and staff and adjust accordingly” (p. 166).

Unlike the previous research, Catacutan & de Guzman (2015) examined directly how academic administrators—in this case, college deans in the Philippines—resolved ethical dilemmas in terms of an ethics perspective. To do so, the authors described the processes the deans employed to resolve dilemmas by using as frameworks for their analysis Starrat’s ethical paradigms (1991), which comprise the ethic of justice, critique, and care, and Shapiro & Stefkovich’s (2011) paradigm, which adds the ethic of profession. To review Starrat’s ethical paradigms briefly, that of justice “is part of a liberal democratic tradition” (Shapiro & Stefkovich, p. 11) and involves fair treatment for all through focusing on laws and principles. Rawls’ (2001) work is a good example of this ethic, one that encourages fairness through the application of rules and principles. That of critique arises from the questioning of the ethic of justice, which relies on the implicit notion that the laws and principles are just to begin with. What if they are not? Based on critical theory and critical pedagogy, this ethic involves bringing attention to “inequities in society and in particular, schools” (p. 15) so that educators can move beyond them. That of care involves “care, concern, and connection, in finding answers to … moral dilemmas” (p.16). Noddings’ (2002) work is an example of this ethic, one that differs from the previous ethics
in that the ethic of care involves the careful consideration and understanding of the other in order to reach moral decisions. In contrast to the previous ethics, Shapiro & Stefkovich believe that Starrat’s paradigms are missing a factor that should be taken into account in educational settings, the ethic of the profession, “a consideration of those moral aspects unique to the profession and the questions that arise as educational leaders become more aware of their own personal and professional codes of ethics” (Shapiro & Stefkovich, p. 19). While this paradigm encompasses all the factors found in the ethics of justice, critique, and care, it goes beyond them in that relative to the educational leader in the educational setting, it adds the expectations inherent in the profession and the expectations of the community, both of which are central in the educational leader’s acting in the best interest of students.

To return to Catacutan & de Guzman, using a qualitative methodology, the researchers conducted semi-structured interviews and analyzed field text using deductive thematic analysis. Similar to the other research noted previously, the authors employed purposive sampling. Eighteen college deans were selected on the basis that they had volunteered to take part in the research and that they had had at least two years’ experience as a dean. Of the participants, the majority (thirteen) were female, and half (nine) had been in the academy for more than 25 years. The authors collected data through face-to-face interviews. In order to capture responses accurately, the researchers recorded the participants and transcribed the data immediately after each interview session, and they followed up with the participants afterwards to ensure accuracy of the transcriptions. Each participant was asked the same three questions: “Could you please identify a salient ethical dilemma that you experienced as a dean? What solution did you adopt to resolve it, and why? What reasons did you have for choosing the decision you made?” (p. 492). Responses to the questions were analyzed and coded for themes according to the paradigms mentioned above. These were then analyzed and grouped into sub-themes, which were then reduced into “one or more theoretically derived themes” (p. 492).

Catacutan & de Guzman (2015) found that the deans shared ethical dilemmas concerning people whom they supervised, such as students and professors: “most of the dilemmas … [related] to faculty evaluation, conduct of faculty and students, school
discipline, and academic performance of students” (p. 493). The authors expressed interest in the fact that few of the deans mentioned ethical dilemmas involving other university administrators or broader societal issues. In addition, the researchers found that the deans mostly used three moral frameworks to resolve dilemmas: the ethic of justice, the ethic of care, and the ethic of profession. Concerning the first, the deans expressed that they made decisions on the basis of fairness, “by applying rules equitably and observing due process” (p. 495). Regarding the second, the deans conveyed that they made decisions from the perspective of care, “by taking action and responding to individual needs” (p. 496). As regards the third, the deans reported that they made decisions from the perspective of their profession, that is, their “views on the meaning of education, the teaching profession, and student learning” (p. 498). The researchers concluded by suggesting that their findings could be used by incoming or in-service deans as a means of professional development to help them understand how decisions are made and what reasoning goes into resolving the ethical dilemmas that these deans might experience. The authors also suggested that the dilemmas related in their study could be developed into case studies that could be used as a teaching tool in ethics courses.

Similar to the previous study, Eyal, Berkovich, & Schwartz (2011) examined directly how academic administrators resolved ethical dilemmas in terms of an ethics perspective by using “the notion of ethical judgement to examine school-leaders’ value-based decisions” (p. 401). In this case, the administrators were aspiring principals—i.e., those in other, subordinate positions, such as chairs or vice-principals—who were in “principal training programs in three institutions of higher learning” (p. 403) in Israel. To understand the ethical considerations employed by participants, the authors designed an instrument, the “Ethical Perspectives Instrument” (p. 402) or EPI, to measure the future principals’ ethical considerations in specific scenarios. The EPI, which the researchers tested for validity and reliability, contained detailed dilemmas that principals could expect in their work with students, teachers, the community, and so on, along with two possible actions with ethical reasons for each. Each dilemma contained two of the following six ethical perspectives relevant to education: fairness, utilitarianism, care, critique, profession, and community (p. 402). When these were combined, 15 combinations resulted. Since the researchers wrote two scenarios for each combination, there were 30 dilemmas in total. Thus, the EPI was designed to explore the ethical principles of future
administrators when they were forced to choose between two ethical dilemmas. Based on work done previously in this field, the authors hypothesized that the results generated by the EPI would demonstrate that certain ethics perspectives would be negatively correlated with one other: fairness would be negatively correlated with profession and care, community negatively with care and profession, and care negatively with utilitarianism, and that care and profession would be significantly more prevalent than fairness, utilitarianism, community, or critique (p. 401).

Eyal, Berkovich, & Schwartz (2011) administered the EPI to 52 aspiring principals, 41 of whom were women, with experience that averaged ten years each. The majority of the participants worked in the secondary school environment, while the rest worked in the primary school context. In addition to the EPI, the participants were asked to complete a questionnaire to determine whether any relationships existed between their demographic characteristics and their EPI responses (none was found). From the EPI, the researchers calculated the “ethical perspectives index … [which] measures the rate of preference for a particular ethical perspective over the other five [and the] personal modal ethical preference … [which] represents the ethical perspective preferred by a participant across all dilemmas” (p. 404). The authors found that their first hypothesis (that certain ethics perspectives would be negatively correlated) was somewhat supported, as there was a significant negative relationship between fairness and care. In addition, significant negative correlations were found between community, and care and profession. However, no significant negative correlation existed between fairness and profession or care and utilitarianism. The researchers found that their second hypothesis (that care and profession would be more prevalent than fairness, utilitarianism, community, or critique) was also partially supported, in that the data “indicate that the ethics of critique, care, and profession prevail among aspiring principals” (p. 405).

In the discussion of the results, Eyal, Berkovich, & Schwartz (2011) examined in detail what they interpreted as the meaning of the correlations—e.g., “the negative correlation … between utilitarianism and fairness suggests that the underlying principles of these perspectives are grounded in different interpretations of ‘the public interest’” (p. 405) and “the salience of the critique, care, and professional considerations may be attributed to the common perception of the principal’s job as primarily a broad social
mission that is supposed to be achieved through personal commitment to each and every student while adhering to high professional standard” (p. 406). They indicated that while their data suggested that the negative correlations among ethical considerations “make it difficult to take into account more than one dominant preference at a time” (p. 407), the data also suggested that there were values that support educational leadership, values that the researchers did not explore. In their conclusion, the authors noted the faults of their research: it did not take into account contextual information that may have had an effect on the choices of the participants, and the instrument used to measure ethical preferences did not explore other factors that influence ethical preferences, such as the participants’ own moral viewpoints, their training, or the educational environments in which they work. Eyal, Berkovich, & Schwartz (2011) is one of the few papers that investigated moral frameworks, but even so, the authors did not explore the influence of the frameworks on how administrators resolved ethical dilemmas in their practice.

Similar to Eyal, Berkovich, & Schwartz (2011), Hicks (2011) examined how academic administrators resolved ethical dilemmas in terms of an ethics perspective. The author, whose study “was framed around the possibility of seeing … principalship as a moral practice” (p. 2), examined not only the ethics but also the values of administrators in terms of the relationship of values and ethics to their practice. To do so, Hicks adopted a qualitative methodology, using what he referred to as “a form of case study approach with interview methods” (p. 62) in order to answer two questions: “to what extent do administrators in rural Manitoba schools rely on their personal values and sense of morality to drive and inform their decision-making and professional judgement [and] in what way(s) is the administrative approach to decision-making … reflective of and traceable to particular value typologies and/or ethical paradigms?” (p. 15).

The author conducted one-on-one interviews with four principals, all of whom were male and had worked in the K-12 context in rural Manitoba, Canada for at least three years. The interviews, which were semi-structured, were based on the participants’ responses to interview questions to which they had responded previously and an experience that they had had in their course of their work. During the interviews, the participants were asked to relate a time when it was necessary to come to a decision in their work that resulted in an ethical dilemma. Their responses were transcribed and the
resultant data coded and reviewed for themes. Hicks then related the data not only to Hodgkinson’s (1991) value typology and the ethics of care, critique, justice, profession and community (p. 67) to search for related themes, but also to his own reflections as a principal working in rural Manitoba himself.

In answer to his first question, Hicks found that there was no difference between personal values held by the participants in the study and the way they performed their duties as administrators: “it was clear that there was no notable distinction between the values that guide their work … and the values that guide their lives” (p. 113). As a result, the rural principals relied to a great extent on their personal values and morality to inform their decision-making at work. In answer to his second question, Hicks discovered that the decision-making of the rural principals was reflective of Hodgkinson’s (1991) values typology as well as the ethical paradigms of care and community, and to a lesser degree, the ethics of justice and critique. The author noted that the ethic of community was of great importance to the rural administrators: the participants’ “values-based approaches … are [so] integrally connected to the values held by the communities in which they work [that] at times administrators must choose whether or not they will remain working in professional contexts that would not support community values” (p. 105).

Unlike much of the previous research, Hicks (2011) explored the influence of both moral frameworks and the values of the principals on their decision-making. A similarity, however, was that the researcher examined administrators in the K-12 context. That said, Hicks, as an administrator himself, was one of the only researchers to attempt to look at moral frameworks, seemingly “from the inside out.” However, since his research focused primarily on the values and moral frameworks of four rural principals, in the end, his paper bore a fairly strong resemblance to the others in this review: Hicks (2011) examined administrators and their resolution of ethical dilemmas “from the outside in.”

Also examining ethical dilemmas is Minnis (2011), who investigated the types and characteristics of typical dilemmas administrators face in their practice, and, as a result of the outcome of that investigation, reviewed implications for the professional development and preparation of administrators—in this case, principals—in the United States. The author’s aim was to focus on ethical dilemmas that the administrators identified as
challenging in order to “provide insights into the complex roles of school level leaders, the dissonance between competing values regarding what is in the best interests of students balanced with professional and personal ethics, policy implementation, and organizational imperatives” (p. 57).

Minnis proposed four research questions: what types of ethical dilemmas administrators face that require some sort of intervention or help; what actions, decisions, or interventions help administrators to deal with the dilemmas; how the data resulting from the research inform preparation and professional development of administrators; and what administrators learn after leaving school level leadership (pp. 57-58). To answer these questions, Minnis (2011) used a qualitative methodology with a grounded theory approach to record the lived experiences of five principals, whose selection was, like the other research above, accomplished through purposive sampling. The researcher interviewed the participants using the critical incident technique, which the author states is a method of data collection that produces a “thematic or categorical representation of a given behavior or its components” (p. 59). The principals were asked an introductory question, and based on the response, Minnis devised follow-up questions to collect further data from the participants. The result was recorded, transcribed, and thematically coded.

In answer to the first research question, although the author found that there was an abundance of ethical dilemmas faced by principals, dilemmas requiring intervention or help centered on three major themes: personnel, policy, and process (p. 145). For the answer to the second question concerning actions, decision, or interventions that might help administrators deal with dilemmas, Minnis found first that the participants were aided somewhat by sharing their dilemmas with others, but the third-party responses to this sharing did not have a direct influence on the participant’s resolution of the dilemmas, and second, that the participants relied to a great extent on policy and procedures to address most of their dilemmas. In answer to the third research question regarding how the data informs professional development and preparation, Minnis (2011) proposed that the data implied that careful selection of candidates for leadership programs was necessary; that one’s personal ethics can be refined over time, and that ethics should be taught in leadership programs; and that to develop moral frameworks, those teaching in leadership programs should model ethical behavior. To answer the final question concerning what
administrators learn upon leaving school level leadership, the author found that the participants indicated that they were challenged on an almost daily basis concerning their ethics and that they experienced a disconnect between their own moral frameworks and educational policies and procedures.

Minnis (2011) is similar in many ways to Hicks (2011): both are administrators who explored the moral frameworks of administrators in the K-12 context. Like Hicks, Minnis examined participants and their viewpoints on ethical dilemmas, but she did not probe the moral frameworks of her participants in order to ascertain how they resolved ethical dilemmas in their practice, nor did she investigate her own perspective as an administrator. Rather, Minnis (2011), like the other research in this literature review, looked at ethical dilemmas indirectly and examined administrators “from the outside in” rather than from “the inside out.”

Conclusion

In conclusion, many researchers (Begley, 2010; Catacutan & de Guzman, 2015; Bush, Bell, & Middlewood, 2010; Minnis, 2011) agree that an understanding of ethics is important to educational leaders in the field of education, as administrators must not only manage efficiently but also lead capably. Thus, Begley (2010) maintains that educational administrators must become acquainted with basic ethical principles, and he maintains that an understanding of ethics as applied to educational leadership is valuable in assisting administrators perform their daily duties. That said, a review of the literature indicates that the existing research on how academic administrators in the post-secondary context resolve ethical dilemmas in their practice is at best unclear.

A reason for the lack of clarity is that the question itself has been taken up in a number of different ways. Some researchers (e.g., Begley & Johansson, 2008; Cranston, Ehrich, & Kimber, 2006; Law, Walker, & Dimmock, 2003) have approached the question in an indirect way by exploring the values of educational administrators and the influence the values have on the decisions that administrators make when faced with ethical dilemmas. Others (e.g., Catacutan & de Guzman, 2015; Eyal, Berkovich, & Schwartz, 2011) have approached the question directly by exploring the moral frameworks of academic administrators and the effect of the frameworks on the decision-making of the
administrators. Still others (Hicks, 2011; Wepner, D’Onofrio, & Wilhite, 2008) have
approached the question through other means, such as examining a hybrid between values
and ethics for the former, and a focus on leadership dimensions for the latter.

Another reason for the lack of clarity is a limitation of the existing research in terms
of the participants of the studies. With the exception of Schrag, et al. (2010), much of the
research has focused on the K-12 system, and the participants have thus been mostly
principals of primary and secondary schools in countries around the world, including
Canada, Sweden, and Israel. There is, however, a paucity of research involving deans
and associate deans, especially in the North American context. A review of the body of
literature above reveals that only Catacutan & de Guzman (2015) and Wepner, D’Onofrio,
& Wilhite (2008) have used administrators in higher education as participants.

In examining how academic administrators in the post-secondary context resolve
ethical dilemmas in their practice, the literature further reveals a commonality among the
research: the experimental research design that the researchers have adopted. Specifically, the researchers either test their hypotheses or describe theories as they arise
from the data, which they have collected from participants. For the most part, they choose
these participants through the use of techniques such as purposive sampling, and they
subject them to surveys, questionnaires, and interviews in order to determine how their
participants, all academic administrators of some description, resolve ethical dilemmas in
their practice. The majority of the researchers, however, are not administrators
themselves. They are outsiders, so to speak, and they approach their studies in a
traditional, scientific manner, posing hypotheses, gathering data, analyzing results and
testing them against the hypotheses, and coming to conclusions and making
recommendations. This third-party approach can be considered to be research “from the
outside looking in.” This approach is indicative of a gap in the body of research in that, as
mentioned previously, few researchers in the works cited are academic administrators
themselves, and of those who are, all have used participants to inform their research; none
has scrutinized his or her own practice to do so. What is missing in all of the research,
then, is an “inside-looking-out” approach.
Chapter 3.

Methodology

In consideration of the “inside-looking-out” perspective, which research methodology is best suited to examine how academic administrators in the post-secondary context resolve ethical dilemmas in their practice? As stated earlier, most administrators are former researchers or instructors, with each having had at least some classroom experience, whether during their university studies as teaching assistants, or afterward as professors or instructors. Since teaching is common to most, if not all, academic administrators, and since reflection could be said to involve looking inside oneself to question, understand, and act upon what one did in the past, does now, and should do in the future (in other words, taking an inside-looking-out stance), an approach that will be examined first is one with which some academic administrators may already be familiar: reflective practice. What follows, then, in the initial part of this chapter is an overview of reflective practice, followed by an assessment of the applicability of reflective practice as a means to get at an “inside-looking-out” perspective.

Reflective Practice

The concept of reflective practice was first articulated by Schön (1983), who held that a crisis in confidence had arisen in the professions in that “professional knowledge is mismatched to the changing characteristics of the situations of practice—the complexity, uncertainty, instability, uniqueness, and value conflicts which are increasingly perceived as central to the work of professional practice” (p. 14). He felt that the then-predominant epistemology of practice, “Technical Rationality” (p. 21), did not allow for an explanation or description of unacknowledged competencies that were nonetheless seen as important to professional education and training. These competencies did not fit into the scientific model of the time, so up to Schön’s time, it was believed that “craft and artistry had no lasting place in rigorous practical knowledge” (p. 34).

Schön believed that technical rationality, the prevailing view of professional knowledge that held that “professional activity consists in instrumental problem solving
made rigorous by the application of scientific theory and technique” (p. 21), was “the heritage of Positivism [and was therefore] the Positivist epistemology of practice” (p. 31). As Schön pointed out, this scientific approach could not account for what practitioners actually know before, while, and after they act. Schön held that practitioners had an unstated understanding of their practice that led to “a capacity for reflection on their intuitive knowing in the midst of action [and that they could] sometimes use this capacity to cope with the unique, uncertain, and conflicted situations of practice” (p. ix). He called this tacit understanding “reflection-in-action” (p. 49).

In examining the process of reflection-in-action, Schön described a number of modes, among them “knowing-in-action” (p. 50), the “kind of knowing which does not stem from a prior intellectual operation” (p. 51); “reflecting-in-action” (p. 54), the reflection “on the outcomes of action, the action itself, and the intuitive knowing implicit in the action” (p. 56); and “reflecting-in-practice” (p. 60), the reflection of practitioners while in the middle of their practice. Schön identified two main “time frames” in the reflection of practitioners: before and after an action (reflection-on-action), and during an action (reflection-in-action). In consideration of the tacit knowledge that practitioners bring to their profession and the thoughtfulness that many practitioners give to what they do before, while, and after they do it, Schön’s notion of reflective practice remains a popular means for researchers to examine various practitioners—themselves in their own practice, other teachers, and even administrators—in the educational context. For example, building on Schön’s work were Berry (2008), Brookfield (2017), and Zeichner & Liston (2014), all of whom looked at educating teachers, and Hart (1990) and Hedberg (2009), who looked at educating managers and administrators.

Berry (2008) extended Schön’s idea of reflection-in-action to an examination of her own practice as a teacher educator. Employing self-study, which she described as sharing “features with reflection and action research such that each involves identifying and clarifying ‘problems of practice’ and working towards deeper understanding of those problems and changed practice through planned and purposeful inquiry” (p. 10), Berry focused on the tensions that she faced in teaching prospective teachers how to teach. She expressed the tensions in terms of contrasts, since Berry felt that they pulled the teacher educator in two different directions. In reflection-in-action and reflection-on-action,
she identified tensions in six areas of her practice: telling and growth (i.e., informing versus creating opportunities for learning), confidence and uncertainty (i.e., allowing herself to appear vulnerable versus maintaining students’ confidence in her teaching), action and intent (i.e., “working toward a particular ideal [versus] jeopardizing that ideal by the approach chosen to attain it” (p. 32)), safety and challenge (i.e., beneficial versus uncomfortable learning experiences), valuing and reconstructing experience (i.e., recognizing experience versus understanding that there is more to teaching than becoming experienced), and planning and being responsive (i.e., planning learning experiences versus responding to learning opportunities). Berry used these tensions as a frame for reflecting on her practice, so as to offer “a window through which to understand the process of becoming as a teacher educator” (p. 167).

Brookfield (2017) took Schön’s idea of reflection-in-action in another direction: critical reflection. Since teachers act in the classroom based on their beliefs concerning how students learn, Brookfield felt that teachers should reflect on their assumptions critically in order to test them; thus, he defined critical reflection as “the sustained and intentional process of identifying and checking the accuracy and validity of our teaching assumptions” (p. 3). What made critical reflection “critical” was, to Brookfield, its concentration on the power relationships and hegemony of the classroom. Brookfield felt that “critically reflective teachers try to understand the power dynamics of their classrooms and what counts as a justifiable exercise of teaching power” (p. 19).

He proposed four lenses through which to reflect on teaching practice, since Brookfield held that it was not possible for teachers to perceive themselves and their teaching without some type of help. Without the aid of the lenses, he opined that “a self-confirming cycle often develops in which our assumptions shape our actions that are then interpreted to confirm the truth of those assumptions” (p. 61). Brookfield’s four critical lenses were the students’ eyes, colleagues’ perceptions, personal experience, and theory. Reflecting critically on one’s practice by viewing oneself through the eyes of students was, for Brookfield, the most important lens, since he felt that doing so could help teachers understand how their students view their practice and could inform teachers about their assumptions and the power dynamics of the classroom. For the second lens, colleagues’ perceptions, Brookfield observed that teachers generally worked alone (in the classroom,
for example, without the company of other teachers) and did not necessarily have the opportunity to consult colleagues about what they had experienced in their practice. Brookfield stated that communicating with colleagues about their practice helped to "unravel the shroud of silence in which our work is wrapped" (p. 66). Thus, having a colleague with whom to share observations (what Brookfield referred to as a critical friend) was of importance in the critically reflective process. Concerning the third lens, Brookfield observed that in a general sense, descriptions of personal experience were meaningful and powerful, and they had elements within them that were universal, whether in the educational context or not. For example, he pointed to politicians who garner support for their causes through the use of personal stories. Brookfield believed that the narrative of personal experience, whether expressing it to oneself or to others, was helpful and formative, since "a conversation … in which colleagues are genuinely seeking to understand how you experience a problem and then reflect back to you their own interpretations and reactions to it … is a fantastic way to open people up to new ways of thinking and acting" (p. 68). Concerning the final lens, theory, Brookfield advocated that theory could contribute greatly to the understanding of teaching practice, since "you stumble on a piece of work that puts into cogent words something you’ve felt but been unable to articulate" (p. 73).

Zeichner & Liston (2014) indicated that Schön’s concept of reflection had been enthusiastically adopted in the field of teacher education, stating that reflective practice had “been embraced by teachers, teacher educators, and educational researchers” (p. 4) for the past 20 years. In advocating for reflective practice, Zeichner & Liston drew attention to the differences between "teacher as technician" (p. 2) and “teacher as reflective practitioner” (p. 3). The former believes that the origin of problems or issues lie outside of the teacher, who is tasked with “fixing” these problems using methods and solutions devised elsewhere and prescribed by others. The latter, on the other hand, reflects on how to frame the problem and looks inward and outward in determining how to resolve it. Teachers as reflective practitioners may find that they share in the origin of the problem or issue, and that they may need to take a different perspective in the resolution. The authors reviewed in detail the five key features of teachers who reflect on their practice: a reflective teacher “examines, frames, and attempts to solve the dilemmas of classroom practice; is aware of and questions the assumptions and values he or she brings to
teaching; is attentive to the institutional and cultural contexts in which he or she teaches; takes part in curriculum development and is involved in school change efforts; and takes responsibility for his or her own professional development” (p. 6).

Rather than looking at educating prospective teachers, Hart (1990) took Schön’s concept of reflective practice and applied it to administration in public primary and secondary schools. She expected that school administrators (that is, principals and the like) would “become more effective … through reflective practice” (p. 153). She does not, however, explain what “more effective” means. In any case, to support her contention, she first reviewed three sources of knowledge—theoretical, empirical, and experiential—and explained their application to reflective practice. Like Brookfield (2017), Hart identified theory, in the form of theoretical knowledge, and she noted that it provided “a basis on which to both organize the search for new facts and establish their relationships to existing knowledge, providing a way to explain generally observed phenomena” (p. 156). Thus, reviewing theory could help school administrators in their understanding of issues in their practice, such as pressures arising from ethics, politics, or economics. Empirical knowledge provided evidence that actions would have likely results in certain given outcomes. Using the metaphor of a map, Hart explained that empirical knowledge provided details for school administrators that could be compared to the “‘real’ world” (p. 158) in which they worked, in the same way that a map provided details about the “real” world in which we travel. Experiential knowledge provided school administrators with both advantages, such as “vividness, immediacy, and relevance” (p. 159), and disadvantages, such as its “unrepresentative, simplistic, and limiting” (p. 159) nature. Nonetheless, Hart held that experience, when “assessed for its goodness of fit, the accuracy and richness of its detail, and its applicability to various circumstances” (p. 160) was important when used along with the two other sources of knowledge previously mentioned.

Hart examined whether Schön’s reflection-in-action and hence, reflective practice, could be desirable in administrative practice, ultimately arriving at the contention that effective administration could indeed result from reflective practice. She argued for the integration of knowledge and action through reflection, since she felt that “the integration of knowledge and action through reflection is the necessary final step for reflection to provide the key to more effective administration in the future” (p. 165). Hart concluded by
indicating how school administrators, as reflective practitioners, could advance their knowledge and improve their schools.

Hedberg (2009), like Hart (1990), extended Schön’s concept of reflection-in-action to the world of administration, except rather than focusing on administrators in the educational context, Hedberg examined the applicability of reflective practice in terms of educating future and current leaders of business. She examined her own practice as a teacher educator, in a manner similar to Berry (2008), and how she incorporated reflective practice into the management courses she taught. In reviewing the literature, Hedberg observed that “the field of managerial reflection has taken many fundamental ideas from education literature, [but] management educators seem most interested in designing pragmatic applications” (p. 13). She proposed a conceptual map, based on the literature, that presents a number of dimensions for educators to consider when creating reflective learning applications. She presented the dimensions in the map as “a series of choices to be made as the reflective learning process is designed and implemented” (p. 14).

The dimensions, listed on one side of the map—“subject” (defined as “subject matter understanding and meaning”), “personal” (“self-understanding and meaning”), and “critical” (“contextual understanding and meaning”)—were gathered together under “reflective learning focus.” On the other side of the map were “level of analysis” (“individual,” “group,” and so on), “method of discovery” (“done privately” and “done collectively”), and “timing” (“before the experience,” “during the experience,” and “after the experience”). According to the map, the reflective learning focus, the level of analysis, the method of discovery, and the timing all contributed to and had influence on the reflective learning application, which was centered in the map. Hedberg (2009) described how she used the conceptual map through a semester of her teaching, sharing a variety of applications that arose from it. She concluded by stating that “managing is not just about doing. It is about doing the best things well. Reflection helps a manager understand what he or she means by such terms as “best” and “well” (p. 28). Moreover, reflection helps business students learn to “take more thoughtful, and possibly more value-driven, action” (p. 31).
As demonstrated by Berry (2008), Brookfield (2017), Zeichner & Liston (2014), Hedberg (2009), and Hart (1990), Schön’s work on reflective practice has been influential in education for decades. Reflective practice has proven to be a comprehensive approach for teachers to examine and refine their educational practice, but can it provide an “inside-looking-out” perspective for academic administrators in their resolution of ethical dilemmas in their practice?

**Applicability to Academic Administrators**

While self-study and reflection (whether critical or otherwise) might be useful as a way for academic administrators to examine their practice in order to become “more effective” (Hart, 1990, p. 158), due to the nature of reflective practice itself, it cannot provide the same kind of “inside-looking-out” perspective that can help us understand how academic administrators resolve ethical dilemmas in their practice. To understand why not, we first look to Berry (2008), Brookfield (2017), and Zeichner & Liston (2014), for whom reflective practice involves studying oneself and one’s actions and experiences when teaching, trying out strategies or actions to be employed in order to find solutions to problems, and then reflecting on them either while the actions are occurring (reflection-in-action) or before and/or afterward (reflecting-on-action). An example of this process can be found in Zeichner & Liston (2014), who relate the anecdote of Rachel (p. 2), a student teacher who had struggled with disruptive minority students in her fourth-grade class. They point to Rachel as an example of how reflective practice should be put into practice: Rachel reflected on what had happened in her classroom and how she had handled the situation at the time, and as a result, she realized that she was as much a part of the problem as the students themselves. After that realization, she then determined how she would handle the situation in an upcoming class (i.e., she studied her actions and experiences, and came to a solution). She tried that solution in class (i.e., she tried out a strategy), and then she reflected on the strategy during and after she tried it out on her students (i.e., she reflected-in-action and reflected-on-action).

This anecdote is illustrative of reflective practice and is key to understanding why reflective practice is not as helpful in understanding how academic administrators resolve ethical dilemmas in their practice as it is for improving ongoing practice. One reason is that Rachel, and other teachers like her, have the luxury of time and a constant data
source (their students), whereas academic administrators do not. Rachel could, for example, reflect on her disruptive students and devise a solution, try it out, and reflect on the outcome, all the while reflecting-on- and reflecting-in-practice. If her solution to the problem did not turn out as expected, Rachel could start over and go through the process again, reflecting on why her intervention did not work, and then devise another one, and try it out. This cycle might repeat as necessary and may carry on over time. Through each cycle, as a teacher at the elementary level, Rachel would see the same students day after day throughout the school year, so she would have time and a constant supply of data with which to work.

Academic administrators, however, due to the diverse nature of their work, do not necessarily have the same kind of time or extended contact with students to resolve problems or issues in the way that classroom teachers do. For example, in the academic administrator’s position, there is scant opportunity to go through the reflective practice cycle when one is forced to find a solution to a problem quickly, and often at the same time as other, unrelated problems and issues are arising. Further, the problems that academic administrators must handle can change quickly: for example, the problem itself could change, in that one with which an academic administrators is faced may transform into another, unforeseen or unexpected problem (e.g., a medical accommodation case could morph into one involving both the accommodation and plagiarism). Alternatively, the individual problems could change, in that multiple problems may arise at the same time or within a short period, each of which is different from the other. To provide further explanation, as one problem is resolved, another occurs, yet in an entirely different context with different actors who have different motivations. Thus, it is unlikely that any two problems will be exactly the same.

Further, unlike Rachel’s example above, academic administrators do not necessarily have a constant source of data. Academic administrators do not teach much, if at all (in my unionized institution, for instance, academic administrators are able to teach only in certain restrictive situations, so most do no teaching at all) and the individuals that they encounter in their work can be varied: academic administrators may have to deal with students, parents, faculty members, other administrators, and other individuals external to the post-secondary institution in which they work. Classroom teachers such as Rachel do
not face such variability; they have time to know their students on a level deeper than the academic administrator has with the individuals he or she encounters on a daily basis.

Reflective practice is lacking in helping to understand how academic administrators resolve ethical dilemmas in their practice for another reason. There is a disconnect between the choice of strategies or actions to take to ameliorate problems and the resolution of the problem itself. According to the reflective practice literature, it seems that the primary task is to reflect on one’s practice and that useful conclusions will emerge—without any frame of reference or moral frameworks on which to base their reflections leading to those conclusions. This disconnect risks making the results of reflective practice somewhat arbitrary when one keeps in mind that the literature review in chapter two examined a significant body of work in which researchers looked at how academic administrators resolved ethical dilemmas in their practice and found that their subjects used personal values or moral frameworks on which to base their actions. Reflective practice does not account for which moral frameworks its practitioners may hold and use as a reference in reviewing and choosing strategies or actions to ameliorate problems and resolve issues.

Reflective practice as a methodology, for the purposes of this thesis, can thus be seen to approach the solutions to problems or issues in a backwards manner: one must try a solution; reflect on it before, during, and after; reflect on what worked or did not work; and then approach the same problem again (as if the exact same problem could even arise again), utilizing what one has learned through reflection—hopefully leading to a framework from which to approach future problems (again, as if the same problem could arise in exactly the same manner as before). This process assumes that the problems to be solved are at least relatively static and that the cycle of reflection on them can eventually lead to generalizable solutions, and that frameworks to guide action will somehow emerge largely through the experience of having approached the problem. What if no solution seems to work? I would argue that it is better to approach the kinds of problems or issues administrators typically face with a framework in mind, and then to test it to determine whether the framework can inform the solution. As it stands, using reflective practice as Schön proposed may not necessarily lead to solutions. Because of contextual changes, permanent solutions to the type of ethical dilemmas faced by academic
administrators are not easily attainable: the people involved change from day to day, the settings change, the motivations of the individuals involved change, and other external considerations change.

A final reason that reflective practice is insufficient for the purposes of this inquiry is that it alone cannot be used to provide an “inside-looking-out” approach. Reflective practice is often a solitary endeavour, regardless of Brookfield’s (2017) advice to secure critical friends with whom to share. Reflective practice is, by its very nature, inward-looking, for the practitioner is reflecting on herself, assessing herself in a specific context, and then trying different approaches to problems and issues. If one approach does not work, the practitioner starts the process anew—alone with his or her thoughts. In a sense, the practitioner is educating herself about herself. Regardless, something is missing.

As van Manen (1995) noted in discussing reflective practice in teaching, “knowledge of reflective methods alone is not sufficient. There must be a union of skilled method with attitudes” (p. 1). He believed that reflection-in-practice and reflection-on-practice (or reflection-in-action and reflection-on-action) lacked something, since reflection was more than just following a simple process. Van Manen held that for reflective practice to be beneficial, it must be explored in other ways: it was not enough for reflective practitioners just to reflect, for doing so indicated nothing of the experience of the practice itself. Rather, van Manen felt that reflective practice should be examined philosophically, conceptually, and empirically—but, most importantly, phenomenologically. Stating that “phenomenology is a project of sober reflection on the lived experience of human existence” (2007, p. 12), van Manen advocated for the use of phenomenology in looking at practice, since it created “formative relations between being and acting, between who we are and how we act, between thoughtfulness and tact” (p. 13). As will be seen later, van Manen and phenomenology figure prominently in this thesis in determining how academic administrators resolve ethical dilemmas in their practice through an inside-looking-out approach.

A More Suitable Methodology

If reflective practice is insufficient in getting at an “inside-looking-out” approach, which methodology might be better suited to do so? To answer this question, it is
necessary to return to the literature review above. We saw there that regardless of the context, K-12 or post-secondary, researchers have taken a traditional empirical approach to their work on administrative decision-making. These researchers, few of whom are academic administrators themselves, have attempted to understand how administrators in the K-12 and, to a much lesser extent, in post-secondary environments, resolve ethical dilemmas by means of questionnaires, surveys, interviews, and the like—at arm’s length. The researchers have then analyzed the results and made recommendations for further study, often proposing more research to be undertaken in ways similar to those that they used in their studies.

This traditional approach to research, according to van Manen (1990), is typical of the natural sciences and is concerned both with knowledge that is “generalizable” (p. 6) and with procedures that can be reproduced through examining subjects and samples that are “replaceable” (p. 7). In the natural sciences, van Manen notes, empirical methods such as “detached observation, controlled experiment, and mathematical or quantitative measurement” are common, and these have been used since the time of Galileo to “taxonomize natural phenomena (such as in biology) and causally or probabilistically explain the behavior of things (such as in physics) [emphasis in original]” (p. 4). In doing so, the researcher is removed from the process so as to not bias the outcome of the research; after all, if the result includes the participation of the researcher, the research cannot be considered to be reproducible without the inclusion of the same researcher. By extension, without the researcher, the results of the research will be in doubt. As a result, empirical methods such as those mentioned above are indispensable in the natural sciences: by necessity, they reduce the role of the researcher to one of a detached, disinterested observer in order to preserve validity and reliability. An example is the double-blind study in the field of medicine. This method is common in the investigation of new drugs to combat diseases, cancers, and so on: the researcher cannot be seen to be influential in the outcome of the research, as the efficacy of the drug must be judged on the drug alone and not on the drug in combination with some other external influence.

In the quest for research that is seen as free from any perceived bias that may be introduced by the inclusion of the researcher, scholars extended the methodology of the natural sciences to the behavioral social sciences. The strong influence of this
methodology and the preponderance of educational research based on social science methods is perhaps one of the reasons that the literature discussed in Ch. 2 above also fits that profile—with researchers examining participants from the perspective of a detached, disinterested observer, and with no one investigating in detail the experience of being an administrator from the administrator’s perspective—i.e., from the inside out.

Natural and social science methodologies are still dominant in educational research, but such approaches largely miss the lived experiences of academic administrators as they resolve ethical dilemmas in their own practice, lived experiences that would be afforded by a phenomenological approach. As stated above, a natural science approach seeks to describe from a third-person perspective (“from the outside looking in”) the experiences of others in order to categorize or generalize. Yet in examining how academic administrators resolve ethical dilemmas in their practice, we are not attempting to categorize naturally existing phenomena, nor are we trying to explain behaviour in order to make generalizations, which can later be replicated under the same circumstances. How humans make crucial ethical decisions is so individual and so context-dependent that atomizing the experience in order to generalize in very human terms how and why particular decisions are made is of limited worth. On this point, van Manen (1990) states, “generalizations about human experiences are almost always of troublesome value [since] the tendency to generalize may prevent us from developing understandings that remain focused on the uniqueness of human experience” (p. 22). The methodology employed for natural science thus does not facilitate an in-depth examination of the meaning of a particular human phenomenon nor an understanding of the lived structures of meaning. In other words, what natural science lacks (indeed, what most current literature concerning the resolution of ethical dilemmas in academic administrators’ practice misses) is the intimate, non-generalizable, non-reproducible involvement of the researcher—the academic administrator, in this case—from her or his own perspective.

Van Manen proposes an alternative to natural science: “human science” (p. 6). Paraphrasing Dilthey (1987), van Manen explains that “human phenomena … differ from natural phenomena in that [the former] require interpretation and understanding whereas [the latter] involve for the most part external observation and explanation.” Human science is therefore a valid alternative to natural science in that “we can grasp the fullness of lived
experience by reconstructing or reproducing the meanings of life’s expression found in the products of human effort, work and creativity” (p. 181). As a result, rather than using a natural science approach to understand how academic administrators resolve ethical dilemmas in their practice, in this thesis, I have used a human science approach. If human science is more appropriate than natural science, how should the question concerning how academic administrators resolve ethical dilemmas in their practice be approached? In order to understand the academic administrator’s lived experience, an understanding of the administrator him- or herself and his or her first-person participation will be essential. How it feels or how it is to be an administrator as he or she resolves ethical dilemmas is a phenomenon, one not only to be studied, but also one to be interpreted.

A Hermeneutic Phenomenological Approach

With this in mind, I have used a research methodology that will aid in the interpretation of the phenomenon mentioned above. Specifically, I have employed a hermeneutic phenomenological approach for my research. According to van Manen (1990), hermeneutics is “the theory and practice of interpretation” (p. 179) and phenomenology is “the study of phenomena” (p. 183) or “the study of lived experience or the life world” (Laverty, 2003, p. 22). Although the distinction between phenomenology and hermeneutic phenomenology is nuanced in that Laverty (2003) states that both are “concerned with the life world or human experience as it is lived” (p. 24), hermeneutic phenomenology focuses on interpretation of the life world or human experience. Interpretation is important in understanding how academic administrators resolve ethical dilemmas in their practice, for “meaning is found as we are constructed by the world while at the same time we are constructing this world from our own background and experiences” (p. 24). Thus, interpretation is essential in understanding the academic administrator’s lived experience.

To recap, the review of the literature indicates that researchers have tended to approach how academic administrators resolve ethical dilemmas in their practice through methodologies common to natural science. For the purposes of this thesis, a traditional third-person approach is lacking in that it is typically used in research that seeks to explain causes or categorize information, and by its very nature, it ignores the lived experience of the researcher. A complementary approach—and one that I find more promising—is to
use the methodology of human science, so I have used a hermeneutic phenomenological approach to understand the lived experience of academic administrators as they resolve ethical dilemmas in their practice. The nature of this methodology precludes generalizability, but, of course, that is not the point of human science. This lack of generalizability is not an obstacle and will not detract from the outcome of the research, for even in a more traditional, natural science approach, authors of research using the small populations that are often found in the world of social science and educational research are careful to note that generalizability is not always possible and thus suggest further research. In any case, although a hermeneutic phenomenological approach will not result in the type of generalizable truth(s) that may result from natural science approaches, van Manen (2002) maintains that it nonetheless “ behooves us to remain as attentive as possible to life as we live it and to the infinite variety of possible human experiences and possible explications of those experiences, [since] phenomenological inquiry has formative consequences for professional practitioners” (p. 7).

In addition to the existing “outside-looking-in” research, we also need to understand the lived experiences of academic administrators from the inside-looking-out. I therefore have examined my own experience as an academic administrator who resolves ethical dilemmas in my own practice. In particular, I have investigated ex post facto how I resolved two ethical dilemmas, one involving a professor undergoing a probationary evaluation of his teaching, and the other involving students and their appeal in response to my determination of their academic dishonesty as per university policy. In addition, I have provided a “walk through” of a hermeneutic phenomenological analysis of a third ethical dilemma (one involving a physically-challenged student requiring an accommodation that was questioned by a department’s academic staff). This walk-through narrative provides an opportunity for the dilemma to come to life and for the analysis to occur in “real time,” so to speak, in a manner similar to that of Blum (1994) in his explanation of the operation of moral perception and particularity in three scenarios: John and Joan on the subway, as they view another passenger with arms full of packages; Theresa, an administrator of a department, and one of her subordinates, Julio, who suffers from a medical condition; and Tim, a white male who is waiting for a taxi, and a black woman and her daughter nearby who are also waiting for a taxi (pp. 31-37).
Academic administrators so commonly encounter ethical dilemmas in their practice that Cranston, Ehrich & Kimber (2006) describe them as “the bread and butter’ of educational leaders’ lives” (p. 106). As mentioned previously, academic administrators receive no prior training for their positions, yet Begley (2010) and Shapiro and Stefkovich (2011) have recognized the importance of ethical leadership practices for administrators. Regardless, academic administrators learn on the job, so to speak, and in terms of ethical decision-making, as Hicks (2011) notes, they may employ the kind of considerations that they use regularly in their personal lives in order to resolve ethical dilemmas in their work lives. It is unclear, however, if this is an appropriate approach. As Bonde, Firenze, et al. (2013) state, “making good ethical decisions requires a trained sensitivity to ethical issues and a practiced method for exploring the ethical aspects of a decision and weighing the considerations that should impact our choice of a course of action. Having a method for ethical decision making is essential,” and that “practiced method” can be found in moral frameworks.

In consideration of the importance of a practiced method for ethical decision-making, I have analyzed the first two dilemmas mentioned above through the lens of two moral frameworks, Rawls’ (2001) conception of justice as fairness and Blum’s (1994) focus on moral perception and particularity. I have explained and analyzed each dilemma according to Rawls and Blum so as to determine who may be harmed and who may benefit from the different possible resolutions, what other information needs to be taken into account, and the intended and unintended consequences that could result from approaching the scenario through the lens of each framework. Although I have assigned no value to the frameworks (i.e., assigning one as being somehow better than or lesser than the other), the results of this analysis could be helpful from a formative perspective for new academic administrators, since they receive little if any training in how to perform their jobs. As stated previously, deans and associate deans, most of whom have been faculty members with extensive research or classroom experience, are expected to step into their positions and immediately perform their administrative duties competently. Most, however, find themselves ill-equipped for the rigours of and the expectations inherent in what turns out to be a highly demanding job. The lessons to be learned through examining from a hermeneutic phenomenology viewpoint my life experience as an associate dean through the lens of the two moral frameworks and through the narrative walk-through of
the third scenario could provide current or future academic administrators with an alternative formative means from which they can learn in order to examine their own administrative practice.
Chapter 4.

Moral Frameworks and Administrative Dilemmas: Three Cases

As mentioned previously, few researchers in the works cited in the literature review are academic administrators themselves, and of those who are, I could find no examples of them having scrutinized their own practice in terms of decision-making when faced with ethical dilemmas. The “outside-looking-in” approach that researchers have taken has thus resulted in a gap in the literature. As an academic administrator investigating my own lived experience, I seek to disrupt the traditional approach to examining ethical decision-making by beginning to fill this void. In this chapter, I will examine from a hermeneutic phenomenological viewpoint my lived experience as an associate dean. As mentioned previously, I will write about ethical dilemmas taken from my own practice, in the form of three real-world scenarios—all of which have taken place recently at my current post-secondary institution. One scenario involves a professor who underwent a probationary evaluation of his teaching; the second concerns students who appealed my decision in a case of academic misconduct after I had followed university policy and disciplined them. Each of these two scenarios will be examined through the lens of two moral frameworks: Rawls’ (2001) conception of justice as fairness and Blum’s (1994) emphasis on moral perception and particularity. The recounting of these two circumstances and my analysis of them will serve, as I have stated above, to provide current or future academic administrators with an alternate means of examining their own administrative practice. In addition to the two scenarios and their analyses, I will also provide a comprehensive account of a third experience as I lived it. This third scenario will be, as discussed above, a “walk-through” in what I term as “real time,” a hermeneutic phenomenological narrative of my lived experience concerning a physically-challenged student requiring an accommodation. I will not, however, analyze it using the same two moral frameworks, as I did the previous two scenarios. In fact, I will offer no analysis whatsoever—for reasons which will be stated later. To conclude the chapter, I will briefly examine the result of the element common in all of the scenarios, the ethical dilemma.
Why use the frameworks of Rawls and Blum to analyze the first two scenarios? At first glance, the two lenses are seemingly dichotomous; they represent what could be viewed as opposing frameworks. Rawls’ conception of justice as fairness, which will be examined in more detail later, pulls academic administrators toward following the rules objectively in order to be fair to everyone involved when academic administrators must resolve ethical dilemmas. Rawls’ theory is highly applicable to academic administrators in that they occupy a rule-bound world: post-secondary institutions such as colleges and universities are governed by innumerable policies on everything from complaints about instruction to board membership to academic misconduct to grading to diversity, and so on—policies which may cover students, professors, board members, administrators, support staff, visitors, and others—and by collective agreements, as well (at least, for those post-secondary institutions that have a unionized workforce).

Before I continue, what of the policies under which academic administrators must work? Academic policies have been described as “a programme of action, or a set of guidelines that determine how one should proceed given a certain set of circumstances” (Bell & Stevenson, 2006, p. 14). Quoting Kogan, Bell & Stevenson further state that academic policies are “operational statement of values” (p. 15). Indeed, at my university, policy is viewed as a brief statement of principles that addresses broad principles on which the University (and by extension, its administrators) will act. These are formal policies, and are named as such. However, as mentioned above, academic administrators occupy a rule-bound world, so they must work under other rules or guidelines as well. For example, academic administrators must understand and abide by government legislation, such as that relating to protection of privacy, and informal—yet binding—guidelines, such as those related to the working conditions of faculty and staff that are not included in collective agreements.

In short, there are many policies, rules and regulations, and academic administrators must at the very least be aware of most of them and abide by them when they are to make decisions, many of which are far-reaching. On the other hand, Blum’s focus on moral perception and particularity pulls academic administrators in almost the opposite direction, toward paying attention to salient features of individuals regardless of (or, possibly, even in concert with) the rules in order to resolve ethical dilemmas fairly for
the individual(s) in question—but possibly not for everyone in general. Blum’s approach is applicable to academic administrators in that although they occupy a rule-bound world, that world is populated with humans, each of whom has an individual story that Blum would argue must be heard in order for academic administrators to reach ethical decisions for that particular individual.

It should be noted at this point that each framework is valid in and of itself, and no valuing of one framework over the other will be assumed in this thesis. It may even be the case that academic administrators may employ one framework to resolve certain ethical dilemmas in their practice, and the other to resolve other ethical dilemmas—or even elements of both frameworks may be used to resolve the same conflict. Regarding Rawls’ and Blum’s frameworks, there is no one “right” answer, and depending on the academic administrators themselves and the frameworks with which they are already familiar and which they bring to their work—as indicated by Hicks (2011)—what works for one academic administrator may not necessarily work for another. Nevertheless, the recounting of the scenarios that follow should provide academic administrators with at least a jumping-off point which they may use to reach ethical decisions on an informed basis.

It should be noted, as well, that Nel Noddings’ (2002) ethic of care and Martha Nussbaum’s (1995) focus on compassion and empathy could also provide compelling frameworks for how academic administrators make their decisions. To review each framework briefly, Noddings proposed that the caring that occurs in the “best homes” (p. 4) can be used as the starting point in developing a just social policy. She argued for an inside-out approach: rather than viewing policy as originating externally, then being applied to society, and subsequently, the individual, Noddings maintained that a just social policy should have its beginnings at home, that the caring-for (the direct, face-to-face caring) that goes on in ideal homes leads to caring-about (the indirect caring at a distance, whether in social status, culture, physical distance, or time): “caring-about supplies an important motive for justice and generates much of its content [since] when we cannot care directly for others but wish that we could … we rely on principles of justice that approximate … the actions we would perform if we could be bodily present” (p. 3). Caring-for, then, leads to caring-about, which in turn leads to a just society. In terms of this thesis,
Noddings’ framework can apply to academic administrators, many of whom care for those whom they serve and strive for an even-handed approach in their practice.

Nussbaum (1995) argued that a focus on the capacity for moral perception and empathy is necessary and can “provide essential ingredients in a rational argument” (p. xiii). Nussbaum suggested that “emotions can sometimes be rational” (p. 72) and can be used for moral guidance. However, not all emotions are trustworthy or reliable for use in such a manner. To discriminate between those emotions that can be trusted and those that cannot in order for the emotions “to play the valuable role they ought to play in public life” (p. 72), Nussbaum proposed the concept of the “judicious spectator,” which she defined as an artificial construction that can serve as a filtering device for emotions. The judicious spectator is an unbiased observer in that he or she has an interest in the participants and cares about them but is detached from events; thus, he or she does not have emotions related to his or her own personal safety or happiness. This does not mean, however, that the judicious spectator is totally devoid of feeling; rather, “among his most important moral faculties is the power of imagining vividly what it is like to be each of the persons whose situation he imagines” (p. 73). The collection of emotions that result is “rich and intense but free from the special bias of knowing one’s own personal stake in the outcome” (p. 77). These emotions, coupled with empathetic participation and external assessment, allow the judicious spectator to determine the best course of action to take: “appropriate emotions are useful in showing us what we might do, and also morally valuable in their own right … furthermore, they motivate appropriate action” (p. 74). In terms of this thesis, the concepts of moral perception and empathy can also apply to academic administrators, who have an interest in those to whom they serve yet are entrusted to reach defensible, just decisions.

These two approaches have much in common with Blum in that they focus on the particulars of a given situation rather than working from a generalizable theory of justice. Nonetheless, for the purpose of this thesis I have chosen to focus on Rawls’ justice as fairness and Blum’s moral perception and particularity. A further examination of Rawls and Blum follows.
Rawls’ (2001) theory of justice as fairness holds that society should be “a fair system of cooperation over time from one generation to the next, where those engaged in cooperation are viewed as free and equal citizens and normal cooperating members of society over a complete life” (p. 4). In the words of The Stanford Encyclopedia of Philosophy (SEP) (2017), “citizens are free and equal and that society should be fair.” Although an in-depth analysis of Rawls’ theory is beyond the scope of this thesis, the author maintains that a just society can be realized through decisions and actions being made in the best interest of those least advantaged. Rawls’ theory (explicated most fully in *A Theory of Justice*, 1971, and revised in *Justice as Fairness: A Restatement*, 2001) and its overarching concern with fairness applies well to the university context. First, “society” in the Rawlsian sense is the context of the university itself. Universities must be seen to be fair: no consideration should be given to certain “citizens” that is not given to others, lest the spectre of favoritism or arbitrariness be raised. Second, the free and equal citizens of which Rawls (2001) speaks can be applied to students; they are free in that they “conceive of themselves and of one another as having the moral power to have a conception of the good [and] they are capable of revising and changing this conception on reasonable and rational grounds, and they may do this if they so desire” (p. 21), and in that “they regard themselves as self-authenticating sources of valid claims” (p. 23)—in other words, students as free citizens within the society of the university, able to make claims in their own right and not be bound by their particular beliefs. They are equal in that they have “to the essential minimum degree the moral powers necessary to engage in social cooperation” (Rawls, p. 20). In other words, while citizens may have differing talents, skills, and so on, above a certain point, they are equal in that they all meet at the point at which they start to differ; anything above this common meeting point has no bearing on their status. Of course, this is also applicable to students: they have different talents and skills academically beyond a certain point, but they are equal in that they are all students.

To continue, some of Rawls’ fundamental ideas, specifically the basic structure and the original position, are useful in considering Rawls’ application to the post-secondary context and academic administrators. Rawls defines the basic structure of a society as “the way in which the main political and social institutions of society fit together into one system of social cooperation, and the way they assign basic rights and duties and
regulate the division of advantages that arises from social cooperation over time” (p. 10). Although Rawls looks at basic structure in terms of a broad, closed society (i.e., society in general), in spite of the fact that the university environment is not a closed system (i.e., people can choose to leave when they wish, and in fact, they exercise that choice on a regular basis), the basic structure can nonetheless be applied to the microcosm of a university society: there are political and social institutions within university life—for students, professors, staff, and administrators alike—that also fit together in the same way as they do in the society to which Rawls refers; similar to society, within the university context, “the basic structure is the background social framework within which the activities of associations and individuals take place” (Rawls, p. 10).

Within the basic structure, Rawls proposes the idea of the original position: “a point of view from which a fair agreement between free and equal persons can be reached; but this point of view must be removed from and not distorted by the particular features and circumstances of the existing basic structure” (p. 15). To accomplish this goal of fair agreement, each citizen is viewed as having a representative. In order to prevent anything extraneous from influencing agreement among the representatives, a “veil of ignorance” (p. 15) is assumed: that is, the representatives do not know anything about the people they represent: they are unaware of the “social positions or the ... doctrines of the persons they represent [nor do they know] persons’ race and ethnic group, sex, or various native endowments such as strength and intelligence, all within the normal range” (p. 15). As a result, any apparent advantages or disadvantages are negated, thereby allowing for fair agreement.

As Rawls (2001) states, “the agreement in the original position specifies the fair terms of social cooperation between citizens regarded as such persons. Hence the name: justice as fairness” (p. 16). To summarize, then, the original position at a basic level is a system of representation that results in political justice through the fairness of persons being equal and free. To illustrate further, Rawls notes that “the basic structure is arranged so that when everyone follows the publicly recognized rules of cooperation, and honors the claims that the rules specify, the particular distributions of goods that result are acceptable as just (or at least as not unjust) whatever these distributions turn out to be” (p. 50). When applied to the university context, then, when everyone, including academic
administrators, follows the rules (policies, collective agreements, etc.), the result is a level playing field for all.

Seemingly on the opposite end of the spectrum from Rawls, Blum (1994) argues against the impartial approach of Rawls and others, stating that “moral philosophers have been too focused on rational principle, on impartiality, on universality and generality, on rules and codes in ethics” (p. 3). He believes that an interdisciplinary approach, encompassing psychology, is necessary and has been missing: “the importance of the psychological dimension of the moral life—that is, on moral life and experience themselves—has been masked, implicitly denied, or at least neglected” (p. 3).

Blum maintains, then, that what is missing in principle-based theories of morality is moral perception. Indicating that moral perception occurs before moral judgement, Blum notes that the former “can lead to moral action outside the operation of judgment entirely” (p. 31). He talks of saliency—that is, those aspects of situations that are prominent in some way and thereby trigger moral perception in the “agent” (p. 32). Blum argues that saliency is different from awareness, in that there can be different levels of awareness. For example, two individuals may view the same situation, and both may be aware of one aspect of that situation, yet for one individual, that aspect may be of greater import (i.e., saliency) than it is for the other. To illustrate, Blum provides an example (pp. 31-34) of two individuals, John and Joan, seated on a subway train with no empty seats, looking at a woman who is standing and holding two full shopping bags. The subway train is not so crowded as to be uncomfortable, and both John and Joan are aware of the woman. However, John and Joan do not share the same saliency of the situation. What is salient for Joan is her perception of the woman’s lack of comfort because she is standing with two full shopping bags—so Joan has reason to try to help the woman (for example, to offer her seat to the woman). The woman standing, however, is not salient for John; he does not perceive her discomfort, and he therefore has no reason to offer to help.

Blum proposes three aspects of particularity. The first is perceptual particularity. As illustrated above, awareness of situations does not equate to perceptual particularity, and in a sense, saliency is in the eye of the beholder. Put another way, it is one thing to hold a value or maintain principles of justice, but it is another for the agent to be sensitive
and recognize that situation as one in which that value is called for or one in which those principles are violated. The second is the “particularistic attitude” (p. 51), which is the approach an agent should take in order to notice situations that require situational perception. Blum advises that agents should remain cognizant of the particularity inherent in all situations so as to be sensitive to certain moral features. The author does caution, however, that having a particularistic attitude is no guarantee that agents will perceive certain moral features in that an agent may simply be “insensitive to certain types of moral features of situations” (p. 52); nevertheless, having a particularistic attitude can be helpful in that the agent will be able to see more readily moral features. Finally, the third is what Blum terms “detail particularity” (p. 52), which is different from perceptual particularity in that it is not so much tied to perception. As Blum points out, “detail particularity becomes a factor subsequent to perceptual particularity’s coming into play” (p. 52). It is also different from the particularistic attitude in that detail particularity involves gaining more specific and detailed knowledge about a particular situation. In illustration, Blum notes that “the particularistic attitude is required in every situation, but some situations require more detailed understanding of particularities than others” (p. 52).

To summarize, Blum (1994) proposes that moral perception, or particularity, is missing in principles-based theories of morality. He recommends that we must be cognizant of particular situations and gain enough information on the details so that we may perceive certain moral features and act morally. When applied to the university context, then, rather than slavishly following rules (policies, collective agreements, etc.) and looking only at the surface features of a situation—i.e., without any further investigation or perception, we must instead pay attention to deeper aspects of the situation, the particulars that are salient, and we must act morally as a result. The rules may be the rules as per Rawls (2001), but the saliency of each situation and the particularities surrounding those actors within the situation are important factors that academic administrators must take into consideration to reach moral judgements.

What follows are three ethical dilemmas, which I frame in terms of scenarios that I have experienced recently in my practice. I will analyze two of the three scenarios through the lens of the two moral frameworks as explained above: Rawls’ (2001) theory of justice as fairness and Blum’s (1994) particularity. I discuss outcomes of the analysis in terms of
who may benefit and who may be harmed according to each moral framework, what other information needs to be taken into account, and what the intended and unintended consequences may be of each framework.

As noted earlier, I will analyze only two of the three scenarios. Why not the third? A further rationale will be provided later, but briefly, the last scenario is a “walk-through” of my lived experience in what I term “real time,” and as such is a hermeneutic phenomenological narration. Therefore, the last scenario is what it is, and no more: it is an intensely personal, first-person perspective of my lived experience: what I did, how I felt. Since each reader brings his or her own perspective to their own life experiences, I cannot accurately analyze for the reader my own experiences, any more than I can accurately analyze for myself the reader’s experiences. As a result, I will not provide an analysis of the third scenario; from the perspective of a hermeneutic phenomenological narrative, the reader may choose to provide (or even, not to provide) his or her own analysis.

**Ethical Dilemma #1: A Probationary Professor with an Unsatisfactory Probationary Performance Review**

**Background**

As mentioned earlier, I am an academic administrator at a large suburban teaching university: I am the associate dean of a faculty that houses the sciences (biology, chemistry, mathematics, physics) as well as sustainable agriculture, environmental protection technology, horticulture, engineering, and health sciences. One of the many duties of an associate dean at my university is to conduct probationary faculty evaluations, the summative assessment that all faculty members must undergo in their first semesters of employment as professors at the university. The evaluation process is typical of colleges and teaching universities in my province and is used by post-secondary institutions to determine continuance—that is, whether the professor on contract should be considered for future work at the institution. At my university, new faculty members must undergo this assessment for up to two years after being initially hired. Furthermore, professors can be assessed more than once per year, and it is not unusual for them to undergo this process twice per year, and in some limited circumstances, even three times per year—once per semester. Given the size of my faculty (approximately 95 professors
spread over seven departments, as well as up to 50 laboratory staff), it is not unusual for me in a given academic year to assess up to 25 or 30 professors, both regular (a term that can loosely be equated to “tenured,” as explained earlier) and contract faculty members.

The assessment itself comprises four components: a questionnaire administered in-class a month before the end of the term and given to the students in each section the professor teaches; an assessment, called a “peer input,” written by two fellow professors (who write one report each) concerning the new faculty member’s competency in teaching in response to each peer’s classroom visit and discussion with the probationary faculty member both before and after the teaching; a self-assessment, in which the probationary faculty member details his or her philosophy of teaching, responds to the results of the student questionnaires and the peer assessments, and summarizes his or her service and scholarly activity; and the associate dean’s comments, in which the administrator synthesizes all of the data arising from the other three components and then determines whether the assessment is satisfactory and continuance is recommended, or the assessment is unsatisfactory and no further employment will be forthcoming.

The scenario: Dr. P’s story

Dr. P\(^1\) was hired within the past five years to teach one section of a first-year science course. A well-respected professor and researcher in his specialized field, Dr. P was a newcomer both to Canada and to teaching lower level (e.g., first- and second-year) courses in a teaching-focused post-secondary institution in North America. Since he was new to the university, his status as an instructor was probationary, and like others in the same position, he had to go through the probationary assessment process as explained above. Because Dr. P had taught only in his home country overseas prior to coming to my university, he reportedly seemed to experience difficulties in adjusting both to Canadian culture and to the demographic of the students who attend my university.

As a result, his students were unhappy with his teaching and his approach. Not long after the semester had started, they complained to the chair of the department (who

\(^1\) A pseudonym.
then relayed the complaints to me). They believed that Dr. P’s marking was unnecessarily hard and that he was singling out some students while praising others, the result being that they believed that he did not respect many of them. By mid-semester, approximately half of the class (12 out of 32 students) called for a meeting with me so that they could air their grievances in person—an atypical request, especially so due to the number of students who had requested the meeting (usually, only one student at a time complains about an instructor). When I learned of their request, I was unsure of my approach, this being the first time that I had been approached by more than one student: should I meet with all of them at the same time in the same place, or should I require that they choose one representative to meet with me? If I were to convene with all of them, I feared that the meeting would get out of hand and become merely a session in which all students would talk over each other with broad complaints about more than just the pedagogical competence of the professor in question. On one hand, having one student representative would negate that opportunity. On the other hand, the students were all so invested in this complaint that I felt that if I did not meet with all of them, they would feel disenfranchised and unheard. After deliberating for a short time, I decided to meet with all of them in person to hear their concerns—against my better judgement, in fact, since I had always met with students individually. In this case, however, I felt that it would be in the students’ best interests for me to put aside my misgivings concerning the meeting in order to allow them to put forward their complaint together; my forcing them to choose one representative seemed almost disrespectful of their concerns. To mitigate any opportunity for things to go off the rails, however, after some thought concerning how to handle the meeting, I wrote out ground rules for participation that I planned to explain to the complainants at the outset.

The day of the meeting arrived. I had to travel to another campus of the university in order to meet with the students, and during my half-hour drive, I played out the possible scenarios in my head. None seemed to end well in my imagination: the students ended up dissatisfied, Dr. P ended up mad, and I ended up frustrated at not being able to resolve the situation. In what seemed to be a short time, I arrived at the campus early, and I went immediately to the meeting room to collect my thoughts further. I was surprised to see that some of the students were already there, awaiting their opportunity to voice their opinions. The fact that some were in the room early spoke to the level of their unhappiness and
made me realize that since they were entirely invested in having their say, they were taking this meeting very seriously. The rest of the students showed up soon after. I started the meeting, and I explained my ground rules and how the meeting would proceed: I would use an informal version of Roberts' Rules (e.g., one speaker at a time, recognized by me as “chair,” those who have already spoken have to wait until everyone else has had a say in order to speak again, etc.) to ensure that things would proceed in an orderly fashion, that everyone would have an opportunity to speak, and that the meeting would not be hijacked by the loudest voices.

My ground rules worked; the meeting started in a civilized manner and proceeded smoothly. I always approach meetings with students from a perspective of patience and respect, so I carefully explained the purpose of the meeting, the complaint policy that I was compelled to use in such situations, and the possible results for both them and the professor after I had heard the complaint and had had a chance to investigate it. I further clarified that in my role as associate dean, I was required to keep an open mind. I reminded the students that there are two sides to every story, and that I was there to hear their side, but I had yet to hear Dr. P’s side. I further explained that I simply had to be fair to everyone, Dr. P included. In any case, the meeting progressed without a hitch. I dispassionately listened to the students as they recounted the situations that they had encountered with Dr. P and how they had felt. I answered their questions as well as I could … and before long, the meeting ended. I believed that the students felt that their concerns had been heard. In closing, I explained that I took complaints of this nature seriously and would follow through and investigate. If I found the complaints to be valid, I told them, I would work to ameliorate the situation for them, but only within the limitations of the university policy involved (i.e., concerning confidentiality and due process).

Afterwards, I discussed the matter with the chair of the department. In these situations, academic administrators have to walk a fine line: they must go into enough detail to provide others with an idea of what went on in meetings such as that I had just had with the students, but at the same time, they must not divulge too many details and therefore violate confidentiality. As a result, I chose my words carefully, explaining in general terms my meeting with the students and requesting that the chair provide Dr. P with mentorship, whether undertaken by the chair himself or by other faculty members.
The chair was satisfied (fortunately) with my explanation and request, and Dr. P was soon provided with a mentor, one of the senior professors in the department.

The reason for this type of intervention was that at the university, if serious issues with probationary professors become apparent before the assessment is completed, university policy requires that action take place immediately, partially to support the instructor and partially to provide the students with an environment that will support their learning. Although probationary assessment is inherently summative (i.e., a judgement on continuance is to be made), I would argue that at my institution, it does have a formative aspect in that professors in need will be helped mid-stream so that the assessment will be fair, students will be served, and the end product will be an accurate representation of teaching competence. I felt confident that the mentorship plan would benefit everyone: Dr. P, in that his teaching would improve; and the students, in that they would have a better learning environment and would therefore profit from the class.

I was very disappointed later in the semester when I discovered that in spite of the mentorship, the same students again complained about Dr. P. For a time, it had seemed as if the plan had worked and that all was well, but regretfully, that was simply not the case. The students were still unhappy, and while they did not ask to meet with me again, they used the questionnaire component of the probationary assessment to express their bitter criticism of Dr. P. As mentioned previously, it is the associate dean’s job to make a decision on continuance based on the three forms of input: the questionnaire, the written observations of two peers, and the self-input written by the probationary professor. That decision is communicated to the professor in the fourth component, the associate dean’s report, a two-page statement written by the associate dean that synthesizes the data arising from the other three components.

The result of the three components of Dr. P’s assessment taken together was that the student input was negative (some of the lowest ratings and most biting comments that I had ever seen) and that while the peer input was neutral, comprising neither negative comments nor positive ones, the two peers offered substantially more recommendations, relating mostly to pedagogy, than are normally found in peer assessments. In addition, Dr. P’s self-input was of borderline acceptability: he wrote that he had struggled, and I realized
that he had not entirely understood why his students had had a negative experience in his class. I was surprised to learn that he attributed their struggles in the classes not to his approach and his teaching but to their lack of preparation and effort.

I spent a great deal of time synthesizing the input. On one hand, I had a set of severely negative responses from Dr. P’s students—but I could not help asking myself: were they truly unhappy with him, or was this a case of resentful students ganging up on an instructor who was making them work harder than they might have expected? Was he really acting disrespectfully toward them? It was difficult to tell, as up to that point, I had only the students’ perspectives from which to judge. On the other hand, Dr. P’s peer input was not overtly negative—but were the pedagogical suggestions truly altruistic or did his peers couch their criticisms? Again, it was difficult for me to tell. Regardless, given the overwhelming student responses and other factors, and given the rigidity of the performance evaluation process itself (which did not allow for interviewing students or peer evaluators ex post facto), I determined that a rating of “unsatisfactory” (one of only two options available to the associate dean, the other being “satisfactory”) was appropriate. I simply could not, in good conscience, give Dr. P a pass on this probationary assessment. There seemed to me to be no overt mitigating factors that would allow me to reach a conclusion of continuance for Dr. P. If I did give him a pass, I mused, I could simply not be able to sleep at night knowing I had done so.

Regardless of my assessment on Dr. P’s probationary evaluation, I felt both sympathy and empathy toward Dr. P. From a sympathetic perspective, I felt that he was actually a likeable person, an expert in his field, and, if his assessments from previous institutions in his home country were accurate (in fact, I had seen them and I had had no reason to believe that they were inaccurate or falsified in some way), a good professor. Perhaps he had just encountered a difficult class—a not uncommon circumstance in teaching at any level—primary, secondary, or tertiary. If he did have a problem, if this could even be called a “problem,” it was that he was in the process of adjusting to Canadian culture and Canadian students—apparently, not quickly enough for his students’ liking. From an empathetic viewpoint, I felt for Dr. P, for I had had times during my career as a former professor when I thought that I had difficult classes and felt that I had stopped reaching my students … and that they, for reasons I could not fathom, simply
did not like me—regardless of how hard I tried. Although Dr. P seemed to have the capacity to be a proficient instructor, I felt strongly that since he seemed to be wrestling with cultural transition issues that affected his current teaching and thus his students’ perception of him, not to mention a class full of dissatisfied students, I was justified in rating his performance as “unsatisfactory.”

The ethical dilemma

Upon receiving my written decision, Dr. P immediately phoned my office to ask to meet with me to discuss the probationary assessment. I had not yet communicated directly with Dr. P (my administrative assistant had spoken to him on the telephone and arranged the meeting), but she warned me that Dr. P seemed displeased and was perhaps even in a heightened state. She felt that he probably wanted to argue his case with me, since he related to her that he was anxious that my decision would mean that he would receive no further work at my university.

I found myself in an ethical dilemma. The probationary evaluation process does not allow for meetings after the evaluation has concluded between faculty members undergoing evaluation and the associate dean. For that reason alone, I would be justified in not agreeing to meet with Dr. P, and yet, I felt that in this case, it was somehow necessary for me to do so. Things—the process, the students’ complaints, Dr. P’s reaction to it all—were just not sitting right for me. In addition, I was bound by university policy to make a decision on continuance, and that decision could only have been unsatisfactory due to the overwhelming evidence. It was clear that a rating of satisfactory would have been entirely inappropriate and even disingenuous on my part. However, as I mentioned, I also felt sympathy and empathy toward Dr. P, and judging from the assessment from his former institutions, I also felt that he had the capacity to teach well and to improve. Indeed, I also had in my possession a student questionnaire from the section he taught in the following semester (there is often quite a lag between the actual assessment and the end of the assessment process), and it was much better than the ones that I had to use for my probationary assessment. The improved questionnaires indicated to me that he had made incremental improvement in his performance. From this result, it appeared that Dr. P had learned from the criticisms that his former students had expressed on the previous questionnaire, and that he had made an effort to improve his teaching.
I decided to meet with him, knowing that he was not happy. I was in a position where I had to inform him in person—sitting directly across from me at the small round table in a corner of my small office, staring at me—that he fully deserved the rating of unsatisfactory. I knew that I would have to explain how the assessment process worked, why it was a valid and reliability indication of his performance, and how his actions during only the semester of the assessment (and not any time subsequent to it) had contributed to my determination of unsatisfactory. In addition, I knew that I would have to tell him that I was not going to change my evaluation. The ethical dilemma for me lay in how to convey to him the bad news about his performance while at the same time support him by letting him know that his rating of unsatisfactory would not necessarily preclude him from further work at my university, and to recognize his capacity to perform to such a level that students would be satisfied with his performance, yet not change my assessment—all the while believing that the rating of unsatisfactory was only accurate up to the end of the class that was surveyed and was therefore ethically wrong in light of his improvement subsequent to the original assessment.

**Outcome**

We arranged to meet at my office. I closed my door. As I expected, we sat opposite each other at the table in my office, looking directly at each other. There he sat, rigid, looking unhappy and if anything, as if he were preparing for a fight. In his left hand, he clutched a file folder full of documents and loose papers of unknown origin. Knowing that he was in a heightened state, I opened the meeting by thanking him for coming to see me. He gave me a “you’re welcome” nod. To attenuate his anger (at least, I hoped so), I immediately informed him that to start the meeting, I wanted him to know from the outset that his unsatisfactory rating would not necessarily prevent him from getting further contracts. His demeanor appeared to change as soon as I had finished telling him so. He brightened up. The heavy atmosphere in my office seemed to lighten. He leaned in closer when we talked. As time went on, we discussed the class on which he was evaluated and the challenges he had faced. I offered him some friendly advice on teaching, culture, and classroom management in order to help him avoid in the future the same type of issues he had faced with his class, and I took the opportunity to recognize and appreciate the steps that he had taken to upgrade his teaching (e.g., the further mentorship within his department that he had initiated on his own and his enrolment in the provincial instructor’s
diploma program—a program designed to teach pedagogy to those who were experts in their fields and were instructors or professors but had not learned how to teach at university).

As our meeting was finishing, Dr. P asked me if I would entertain changing my unsatisfactory rating to satisfactory in consideration of the advances that he had made since the probationary evaluation and because I had recognized his improvement. I was sorely tempted to do so; after all, sitting across from me was a person (not just a “professor,” so to speak) who had taken some severe criticism (from his students) yet had actually had the presence to learn from what had to have been a difficult experience and to take steps—on his own, without any prompting—to improve his pedagogy. He understood that for the most part, the cause lay with him … and he worked hard to improve. That was commendable and deserving of some sort of reward, I felt.

However, as tempted as I was, I could not, as I mentioned previously, in good conscience give him a satisfactory assessment, and I explained my rationale: the probationary performance evaluation was backward-looking. I could only take into account what had happened from the beginning of the process to the end—the end being the end of the semester in which he was reviewed. Since the steps he had taken occurred after that semester, they could not play a role in my determination. However, since he had improved since the evaluation, I told him that I would make a concession, the first that I had ever made on any probationary review (and I had written many up to this point). I felt that it was important for me and for Dr. P to recognize in some way the steps that he had taken to become a better teacher, in spite of timelines of assessment: I told him that I would add a note to the end of my assessment stating that although he had received a rating of unsatisfactory, he had made such progress in his pedagogy that he would still be considered for future contracts. The meeting ended at that point, and Dr. P heartily thanked me and shook my hand.

Analysis

Rawls: Justice as fairness

What is the outcome of viewing the scenario through the lens of Rawls’ Justice as Fairness? First, as noted above, the basic structure provides background justice for all.
There can therefore be no room for individual considerations: what is fair for one is fair for all, so in the case of probationary assessment at my university, all evaluations have to be approached in the same manner so that no one individual is advantaged or disadvantaged. Second, in the context of the basic structure, the original position provides for justice for all in that there is no regard to one’s background (gender, race, and so on), since nothing extraneous should have an influence on justice for all. Although mitigating circumstances may exist for Dr. P, they cannot not be taken into account. To put it another way, if the basic structure provides background justice for all, and if the original position provides the veil of ignorance that allows for justice, the result for Dr. P and his scenario is that none of his background or none of the potential that he may have had for improvement should be taken into consideration. In terms of the scenario, Rawls’ vision of justice as fairness is in a sense past-oriented: Rawls envisions fairness as it exists in the present in consideration of the limitations placed on whatever in the past led up to the present, the consequences having no influence on the future.

Who suffers under Rawls’ framework? There is a cascade of increasing harm. First, the administrator is harmed, because she or he is put into a position where information outside the scope of the assessment (in this case, the subsequent performance assessment indicating some improvement) cannot be taken into account and can thereby not contribute to the decision. The administrator is bound by university policy and Rawls’ framework to make an unbiased judgement based on the facts of the matter at hand (and no other subsequent data). The result is an ethical dilemma for the administrator that cannot easily be resolved. Second, the Physics department is harmed. With an unsatisfactory assessment, Dr. P will not be considered for further contracts, and the department—and by extension, its students—will thus not be able to benefit from Dr. P’s expertise in research or from his sharing that knowledge with his colleagues who do not specialize in his area. In addition, he will not be available to assist with the still-to-be-developed upper-level (third- and fourth-year) courses. Most importantly, Dr. P is harmed. Under Rawls’ framework, the rating of unsatisfactory can only result in discontinuance: there is no room for consideration of his future potential in the name of fairness of assessment for everyone. Any further improvement since the evaluation or even capacity for improvement cannot be taken into account. The result is that Dr. P is penalized for his past performance up to the point of the assessment, and the penalty is the loss of future
earnings and potential for regular employment, not to mention the loss of respect and possible damage to his reputation as a professor and researcher.

Who benefits under Rawls’ framework? Rawls himself might argue that Dr. P’s scenario fits well into the justice as fairness framework and that ultimately, society is the beneficiary. In the context of my university, Rawls’ “citizens” (in this case, professors) are free and equal, and thus society is fair and well-ordered. In Dr. P’s scenario, the basic structure is maintained, so an orderly society is the result. The veil of ignorance is employed, and no one individual in the society gains what is seen as an unfair advantage over another. The first basic principle of rights and liberty for all is preserved, and the second principle of fair equality of opportunity for all functions as envisioned by Rawls in that Dr. P has the same prospects of success as anyone else with his talent and ability regardless of background. In the end, society benefits because in Dr. P’s scenario, the standards of the evaluation process are upheld and are not influenced by anything else: it is fair. The facts leading up to the assessment are the facts—and they apply to everyone equally.

What other information needs to be taken into consideration? First, although Rawls would disagree, in my view, the actions taken by Dr. P after his initial probationary evaluation must be taken into account. Dr. P was attentive to his students’ comments on the questionnaire, and he took concrete steps to improve his pedagogy in each area identified by his students in which he was deficient. Through my discussion with Dr. P, I discovered that he had consulted with colleagues, and in fact, he had begun the Provincial Instructor’s Diploma program, a provincially accredited development program for those teachers, instructors, or professors teaching at the post-secondary level with little or no background in pedagogy. Second, the result of Dr. P’s subsequent student questionnaire should be considered. As mentioned above, it showed solid signs of improvement—a greater number of positive comments, for example, and higher ratings on the Likert scales that comprise much of the student response—proof that Dr. P was working hard to develop as an educator and that he had the capacity to improve further. Finally, Dr. P’s perspective should be taken into consideration. Despite Dr. P’s being new to Canada and new to teaching in the North American context, and despite his struggles with cultural adjustment,
Dr. P’s experiences are of no relevance within Rawls’ framework. What is fair for one is fair for all.

What are the intended and unintended consequences of the scenario as applied to Rawls’ framework? Certainly, the primary intended consequence is the perception that the process is fair for all probationary professors who undergo the evaluation. It does not matter that Dr. P was unhappy and had grounds to argue his case, nor does it matter that the administrator was forced into an ethical dilemma. Fairness is maintained through the process, and society (i.e., the microcosm of the university context for professors at my university) is just. As for unintended consequences, one is the penalization of Dr. P despite his having improved his teaching after the probationary assessment.

**Blum: Moral perception and particularity**

What is the outcome of viewing the scenario through the lens of Blum’s (1994) focus on moral perception and particularity? Blum advocates focusing on the particulars of a given situation as a guide for the appropriate moral response. In terms of the scenario, the administrator and his feelings toward Dr. P and his perception of the particulars of Dr. P’s predicament are of great importance under this framework. The administrator may feel both empathy and sympathy toward Dr. P: after all, working hard to improve oneself with little or no resulting reward is an unfortunate occurrence that many have experienced. Indeed, an academic administrator her- or himself may have been in a similar situation in the past. Even if the administrator had not been in a similar situation, she or he nonetheless should have the capacity to pick up on the saliency of the situation: to notice particulars that may help her or him in his assessment. To review, the particulars of this scenario are that although Dr. P performed poorly at the time of the probationary assessment, he improved as a result of the process of evaluation. Dr. P took steps to improve, and the improvement was evidenced in subsequent questionnaires, thus showing that he was sensitive to his shortcomings and then did something about them—successfully. This is an admirable feat, certainly deserving of some type of reward, yet policy at my university does not allow for the admittance of any evidence that may have occurred after the assessment, as events subsequent to the probationary evaluation did not contribute toward the assessment—hence, the administrator’s ethical dilemma resulting from not being able to take that into consideration.
Who suffers under this framework? In a general sense, professors do, and by extension, the institution is harmed. If Blum’s framework is to be followed, for every probationary assessment, the administrator will have to take into account his own moral perception and the particularity of each individual professor, since each one is different in some way. This difference has the potential to result in a number of variables that change from one probationary evaluation to the next: there may be a different professor, or if not, the same professor may be going through a probationary assessment with a different class at a later time. In addition, the administrator’s perspective may have changed with the passage of time: what may have been salient for the academic administrator in the past may not be at a later date. Further, Blum notes that having a particularistic attitude does not necessarily guarantee sensitivity to certain moral features, so the administrator may sense certain moral features in some scenarios but not in others. The professor and the institution, therefore, are harmed because shifting variables introduce the possibility of arbitrariness, a characteristic that can give rise to questions about the entire process of probationary assessment. Since the source of the assessment is the administrator, and the administrator is designated by the institution to perform the evaluation, the whole process is called in question at two levels; thus, both the administrator and the institution suffer.

Indeed, other professors undergoing probationary assessment are harmed. As stated above, the administrator may not be sensitive to the moral features surrounding that particular professor in his or her own probationary assessment. The professor will not receive the same consideration, or at least a similar consideration, as another professor might. Once again, there is the possibility for arbitrariness. The result is that probationary assessment, which is a high-stakes endeavor since it involves the potential for future employment, becomes a subjective exercise because it is dependent upon the administrator’s particularistic attitude and his or her inherent sensitivities to moral features while at the same time, deciding the future of the professor. Other professors suffer because under these circumstances, they cannot be confident that they will be assessed fairly with all considerations taken into account, and it is possible that some may, in fact, not be assessed equitably.
Who benefits under this framework? In the scenario, Dr. P benefits, and by extension, those with whom he has contact in the institution. Following Blum (1994), the administrator will pay attention to the particulars and take into account the progress Dr. P made after the initial performance evaluation. Perhaps the administrator may find that considering the improvement that happened after the assessment, he will alter the outcome of the initial assessment from unsatisfactory to satisfactory. In any case, whatever penalties Dr. P may have suffered will be mitigated by the administrator’s attention to particulars. Thus, Dr. P will benefit, as will students and colleagues, who will gain from Dr. P’s knowledge and experience, since his assessment will not necessarily result in discontinuance.

What other information needs to be taken into consideration? Information about the administrator becomes very important under this framework. As suggested earlier, the administrator’s sensitivity to moral features needs to be considered. Blum indicates that people may simply not notice or may not be affected by certain aspects of a situation, as in Blum’s example cited earlier in which John is not sensitive to the standing woman’s discomfort. That said, how (or even if) moral sensitivity could possibly be measured so that this information could be taken into consideration has not been explained or even explored. Furthermore, other information about the professor not necessarily germane to assessment is equally important and must be taken into consideration. In the scenario, Dr. P explained in a meeting with the administrator the steps he took to improve after his initial assessment—valuable data on which the administrator could reflect in order to (re)consider his assessment of unsatisfactory. Without that information, nothing might have changed for Dr. P: his probationary evaluation would remain as unsatisfactory, and there would be nothing about which to discuss with the administrator.

What are the intended and unintended consequences? One intended effect may be a belief, on behalf of the professors undergoing probationary assessment, that the system of assessment comprises measured moral decision-making leading to just decisions based on the particulars of each situation and on the decision-maker’s moral compass rather than on inflexible and insensitive rules. Another intended result may be the lessening of a likelihood of ethical dilemmas for the administrator. The use of particulars in making judgements on continuance is considered to be outside of the normal
process and not normally associated with the probationary process, but if they can be used, academic administrators may not be presented with dilemmas such as having to choose between following the rules and following their own moral compass.

Concerning unintended consequences, on a practical level, paying attention to particulars results in what could become an unwieldy system of probationary assessment. If an academic administrator is to use Blum’s moral framework, paying attention to particulars, then the administrator must do so for each professor undergoing every probationary evaluation—even for the same professor undergoing subsequent assessments (since time would have elapsed from one evaluation to the next, thus introducing a variable that may alter existing particulars or add others). Assessment taking this limitation into account is not an easy task: it has the potential for being overly time-consuming, with possibly diminishing returns. There seems to be no easy resolution to the unwieldiness, since the only way to reduce the time taken for each evaluation would be to reduce the assessment under this framework to a rule-based process—the very thing against which Blum advocates. In addition, due to the nature of assessment, another unintended consequence is the allegation that the entire process is subjective, for the reasons stated above. In the end, the process depends on the professor and his or her ability to bring information forward, and on the administrator and his or her sensitivity to certain particulars, thus resulting in a situation that does not guarantee that each professor will be treated in the same way.

**Ethical Dilemma #2: Student Academic Misconduct and a Grade Appeal**

**Background**

Another duty that falls to associate deans at my institution is the handling of issues related to student academic integrity. The university policy governing academic integrity dates from more than twenty years ago and is now under revision; regardless of its age, it is the policy that I as an associate dean must follow when professors or laboratory instructors believe that students have cheated or plagiarized and report the transgression to the Dean’s Office. The policy states that when professors or lab instructors believe that a student has cheated or plagiarized, they are to ask the student for an explanation concerning the events that led to the suspicion of cheating or plagiarism in the first
place. The policy continues that if the student has a reasonable explanation, the process ends without any further intervention. However, if the professor or lab instructor, having heard the explanation, still believes that there has been some form of academic misconduct, he or she is required to gather all the evidence, write a report outlining what had happened, and send the evidence and the report to the Dean’s Office within a certain period of time. It is important to note that according to the policy, the associate dean, upon receiving the information, is then required to mete out the discipline for the transgression, with the punishment varying according to the number of times that the student has previously been cited for the same violation as recorded by the Office of the Registrar. For example, if it is the student’s first time, the assignment, test, or exam on which the student cheated is assigned a zero; if it is the second time, the student receives an “F” in the course in which the cheating occurred, and so on. Surprisingly, there is no requirement in the policy for the associate dean to review the report and evidence to determine whether there is merit in going forward with discipline (or not), nor is there a requirement for the associate dean to meet with the student involved—hence the revision to the policy mentioned earlier. In any case, the policy seems to assume first that the professor or lab instructor, being the one present for the plagiarism and the one who interviews the student afterward, has the authority to determine whether a transgression has occurred or not, and second, that the administrator responsible, the associate dean, is merely the official conduit for recording the offence and assigning appropriate discipline.

The scenario: It is plagiarism … Isn’t it?

As the associate dean of a faculty that contains science and horticulture programs, I receive cases of academic misconduct—cheating and plagiarism—not only from the professors in the classroom but also from laboratory instructors in the labs. To explain the situation with our laboratories, students who take lecture courses in biology, chemistry, environmental protection technology, or physics are often required to take an accompanying laboratory course, which comprises hands-on experiential work to support the theory that is taught in the lectures. This lab work could be in the form of conducting experiments and writing up the findings of the students’ experiences in the lab. For the latter, students are expected to perform their experiments in the lab and then write about them afterward, and then submit the results to the lab instructor in the form of a lab report.
This report, which can be very detailed and lengthy, often contains a review of procedures used, spreadsheets, pictures, conclusions, and so on.

Recently, a case of plagiarism was brought to my attention: a lab instructor teaching a first-year lab during the fall semester (September to December) sent me both evidence of and a report about plagiarism. The case involved two students who had been assigned to work together on an experiment around the middle of the semester. They were expected to conduct their experiment and once they had gathered their data, they were to write the lab report together. They did so with no issues, yet when they submitted their report, the lab instructor ascertained that the students had used certain reference material word-for-word, and although they had provided an attribution and a reference to the origin of the material, they had neglected to indicate which passages of the original text had been quoted. To clarify, an entire paragraph had been copied, with the attribution below the paragraph, but it was not at all apparent that the paragraph had been written by someone else: the students had used neither quotation marks nor indentation (nor any other device) to indicate the use of another’s words, thus making it appear as if the paragraph had been written by the students, with the reference at the end appearing to indicate that the general idea, but not the words themselves, had come from another source. One reading of this paragraph could be that the paragraph was intended to be a paraphrase of the original. The lab instructor had flagged this paragraph as plagiarism and asked the students for an explanation, as per the policy to which I referred earlier. The students, protesting that they had done nothing wrong, explained that they believed that they had not plagiarized because they had included the reference immediately after the paragraph. They claimed that they had learned to do so to avoid an allegation of plagiarism and that they did not know that they should have additionally used quotation marks or some other device to show that the words used were not their own. Not accepting this explanation, the lab instructor forwarded the evidence (the lab reports) and his report to me—again, as per policy. Notably, his report included the fact that the students did not agree with the offence, for the reason stated above.

The Ethical Dilemma

As in all other cases of plagiarism, I consulted the university policy on academic integrity, which combines plagiarism and cheating. The policy, similar to those at other
universities and colleges, states that plagiarism is a serious academic offence and provides a definition, which I paraphrase, and which should be familiar to anyone who is involved in higher education: plagiarism occurs when someone attempts to pass off the work or ideas of another person as his or her own. With that definition in mind, I reviewed the evidence as provided by the lab instructor. Certainly, it appeared as if the students had copied someone else’s work without making it clear that they had actually intended to do so: that is, it was not apparent that they had meant to copy word-for-word and that they were providing what they thought was an appropriate attribution and reference. Clearly, I thought at the outset, these students plagiarized. Clearly. It was obvious.

After consulting the policy again, I determined what disciplinary action to take. Since it was the students’ first offence, my “judgement” (if it actually could be called that; the discipline was already laid out in the policy) was that they should receive a zero for the lab report—which was certainly consistent with the policy. Undoubtedly, it was a case of plagiarism, I told myself … or was it? There was something about this seemingly “clear” case of plagiarism that bothered me. What was it? What was giving me second thoughts? After a time, I had a “eureka moment” … the students involved were in their first year of university; it was mid-semester, so the two students were barely out of high school, in only their second month of post-secondary studies. Maybe they really did believe that they had not plagiarized! Maybe they had never meant to plagiarize! If so, the intent to plagiarize was missing. If there were no intent, I mused, was it then truly a case of plagiarism? My realization led me to further questions. Should these students be treated the same as others who purposely plagiarize? Is this situation fundamentally different, or is it the same, regardless of intent? Should I assign discipline and therefore mark these students forever at my institution (offences such as plagiarism live forever on a student’s permanent record in my institution: there is no way to remove these charges)?

On the other hand, the policy is rigid. There is no “wiggle room.” It simply did not allow me to entertain alternatives to the lab instructor’s determination of plagiarism. I found myself in an ethical dilemma: after a good deal of thought, I had come to believe that the students did not intend to plagiarize and therefore did not deserve punishment as outlined in the university policy, yet the policy did not allow me to do anything other than assign discipline. What should I do? I felt that my hands were tied. Policy is policy, and as an
associate dean, a position low in the hierarchy of post-secondary management, I felt that it was not my place to test the boundaries of any policy, least of all one that dealt with academic misconduct. Fearing repercussions far beyond my little corner of the university if I were to dismiss the allegation of plagiarism as being without merit, but against my better judgement, I resigned myself to do what I had always done in prior cases of plagiarism: I wrote the letter that I always write outlining the case and my assignment of discipline, and I sent it to the student and copied Student Records, the lab instructor, and the professor of the associated lecture course. In other words, I followed policy and disciplined the two students, particulars of the scenario regardless. Although I was convinced that the students had not intended to plagiarize, I nonetheless sent my letter, taking small comfort in the fact that, although these students would carry the offence with them on their permanent record throughout their careers at my university, the infraction would not actually show up on their transcripts. No one need know about the case save for the students, me, the lab instructor, the professor of the lecture, and Student Records. Small comfort, indeed.

**Outcome**

The policy governing plagiarism and cheating, like most at other post-secondary institutions, allows for students to appeal. In short, provided students follow the process in terms of timelines and required information, their case can be reviewed by the next administrator in the chain of responsibility. The two students whose intention to plagiarize I questioned decided to appeal, so their case was heard by the next administrator in line—my direct “boss,” the dean of my faculty. The students appealed on the basis of unfairness in the process, one of the provisos in the policy for allowing an appeal to go forward. Honestly, this approach surprised and dismayed me. Despite my misgivings at assigning the discipline that I felt compelled to dispense, I had been careful in my investigation and had, in my mind, dealt with the case fairly and equally. I did not necessarily know the particulars of the students (e.g., that they were first-year students fresh out of high school, and so on) although I could accurately guess at some of them, but the policy made it clear that I was not required to know anything else about the students themselves. Following the letter of the policy, the lab instructor had ascertained that the students had plagiarized—and that was all that I needed to know. I had made my determination—as hesitantly as I had, anyway—according to the “rules.” I had done so as dispassionately as
I could. While I doubted that the students truly deserved to be treated in the same way as others who intended to plagiarize, I was certain that from my perspective of dealing with the case, there was no inequity: regardless of my discomfort with the discipline I felt that I was forced to mete out, I believed that I had reached a fair decision.

In the end, although my dean agreed that I had been careful in following the policy on plagiarism and cheating, she had the same misgivings that I had had. She had exercised her own moral perception and had taken note of the particulars as I had seen them … and she rightfully reversed my decision.

Analysis

Rawls: Justice as fairness

What is the outcome of viewing the scenario through the lens of Rawls’ Justice as Fairness? First, similar to the first scenario outlined above, Rawls’ basic structure provides background justice for all, so in the present scenario, students who plagiarize must be treated equally under the university’s plagiarism policy, even if the offense is minimal (as in this case, perhaps one of omission rather than intention). Second, although the students were in their first semester at university and thus may not have been experienced in understanding what constitutes plagiarism, the original position provides for justice for all regardless of one’s background. This means, then, that the students’ background cannot be taken into account; Rawls’ framework holds that what the students did, plagiarism through a lack of proper attribution, must be considered at face value. There can be no arguing that something did occur—after all, there was some sort of transgression (if it can even be called that), intended or not—and to take the students’ background into account would only serve to brush aside the veil of ignorance.

Who suffers under Rawls’ framework? The students are the obvious casualties. The fact is that they did something that they should not have done, even if they did not intend to do so. To be fair to everyone else who presents the ideas of others as if their own, regardless of intent to plagiarize, the students must be disciplined under the university’s policy. Another who suffers under Rawls is the administrator: as in the first scenario, the administrator is obliged to come to an unbiased decision based on the facts as presented to him or her. As in the first scenario, extraneous facts or events outside the
purview of the case cannot be taken into account. The maturity level of these students, for example, is one such matter that from the perspective of Rawls’ is not to be taken into consideration. In cases that are not so clear-cut, such as that found in the present scenario, an ethical dilemma may result, in that the administrator, who may be sensitive to other information only tangentially related to the matter at hand, may feel as if his or her hands are tied and he or she must reach a decision as laid out by university policy, yet the decision may be one with which he or she is not comfortable.

Who benefits under Rawls’ framework? Regardless of the assertion above that the administrator suffers, he or she, paradoxically, also benefits. He suffers in select cases, certainly, but even so, the burden of making judgements in any other cases, difficult to assess or otherwise, is removed. If the facts demonstrate that plagiarism has occurred (again, however minimal, or regardless of intent), there can be no denying that something (plagiarism) did occur. The administrator is thus released to apply the policy—with no deliberation necessary, and with no hesitation. There is some comfort, then, to the rules-based morality against which Blum argues: the administrator’s personal ethical perspective is removed from the judgement. Note that his or her perspective may still be present, however, thereby resulting in the suffering as indicated above. Nevertheless, since the administrator’s ethical viewpoint is no longer necessary to the outcome, the application of the policy becomes automatic: if there is proof that plagiarism occurred, the appropriate discipline is inescapable, as it would be in any other case—to be fair. The administrator thus benefits by not having to exercise any moral perception or having to investigate each student along with his or her background.

What other information needs to be taken into consideration? One might argue that information germane to the students is missing and should be taken into account. What did the students know about copying without attribution or other such devices to indicate the words were not their own? Had they learned about what constitutes plagiarism and how to avoid it? Was there intent to copy and to try to get away with it? How were the students doing in their other classes? Had they plagiarized in any of those? What was their level of maturity? Did they understand what they had done was wrong?
For that matter ... what of the lab instructor? What was his perspective in all this? Was he citing the students for plagiarism because he felt that the students intended to plagiarize or because he employed a strict interpretation of the policy on plagiarism? Did he feel that he should punish the students, or was he merely providing the students with a teachable moment—one to come early in their post-secondary career and thus a moment that will serve the students well in later years when they are more mature? All these points should arguably be taken into account, but Rawls' framework really does not allow for consideration of the answers to these questions. They simply do not matter. As mentioned earlier, justice as fairness is, in a sense, backward-looking, in that it cannot take into account matters that happened ex post facto. Further, I propose that the framework is not inward-looking, either. On the face of it, the plagiarism occurred; thus, neither feelings nor intentions play a role in how the plagiarism should be processed. According to Rawls, the policy should be employed, for it is intended to be fair for all.

What are the intended and unintended consequences of the scenario as applied to Rawls' framework? As in the first scenario, the primary intended consequence is the perception that the process is fair for all students who are accused of plagiarism. The professor (or in the present case, the lab instructor) believes that plagiarism has occurred, he or she then asks the student(s) for an explanation and then collects the evidence and sends it along to the Dean's Office, where the academic administrator (in my case, the associate dean) consults the policy and assigns the discipline as outlined in the policy itself. The process works the same regardless of who the student is. The veil of ignorance continues to work to provide a fair and level playing field for all. Anyone caught plagiarizing will be treated the same; there will be no variances from the policy.

Concerning unintended consequences, one that is apparent immediately is the penalization of students who may truly have not intended to plagiarize. They may have erred in the mechanics of quotation, for example, but they may not have plagiarized on purpose. In my experience, first-year students directly out of high school take time to become acculturated to the complex rules and expectations of the post-secondary environment. The culture and practices within post-secondary institutions can be far removed from what students experienced in high school. Thus, there is much to learn in a short time, with little orientation or guidance to help inexperienced students become
accustomed to university life. It is little wonder that such students will make errors—true mistakes or accidents, really—without even knowing that they have done so. Hence, an unintended consequence of Rawls’ framework is that these students must be considered to have offended; in the present case, for instance, they truly may not have known that they should have used quotation marks or some other such device, but as indicated earlier, the policy does not speak to such variances. The policy ensures, rightly or wrongly, that any student who is proven to have plagiarized, regardless of how strong a case, is to be treated the same as any other student in the same predicament.

**Blum: Moral perception and particularity**

What is the outcome of viewing the scenario through the lens of Blum’s focus on moral perception or particularity? To review, Blum advocates using our moral perception to focus on the particulars of situations to help guide us in responding morally. In this scenario, the academic administrator’s morality and ability to pay attention to details that are significant to the matter at hand become very important. Some of these details—that is, salient aspects—could be the following in the present scenario: Who are the students? What is their background? How are they performing in other classes? Is there a pattern of misbehaviour (related to plagiarism)? What is their level of academic or institutional maturity? What about the assignment on which they were alleged to have plagiarized: is it a high-stakes or low-stakes assessment? It is this sensitivity to saliency that the administrator can use to guide his or her actions in resolving the ethical dilemma mentioned earlier, either by somehow working within the policy, or even by rejecting the policy altogether.

Who suffers under this framework? In a broad sense, students will suffer, in that they cannot be assured that cases of plagiarism or other offenses that involve them will be judged similarly over time and/or across administrators. As seen in Blum’s (1994) three examples (pp. 31-37), features of situations that are salient for some may not be salient for all, and individuals may vary in their level of sensitivity to salient aspects of situations. As expressed above, the particularistic attitude for which Blum advocates does not guarantee sensitivity to moral features, so saliency, it could be said, is in the eye of the beholder—thus the lack of confidence that different administrators will see situations from the same perspective, or even that the same administrator will see situations from the
same perspective over time or across events: one’s viewpoints are malleable and they can change longitudinally. In consideration of these points, then, judgements become arbitrary, and students suffer as a result.

Administrators also suffer under Blum’s framework, in that they will have to pay attention to a number of saliencies that may come into play in order to process any allegations of plagiarism or academic misconduct. Assessing each situation in the depth necessary to reach ethical outcomes can become unwieldy due to the time it may take to examine the salient aspects of each individual involved in each event, or it may even become paralyzing due to the complexity of such events. Because of this point, the copious number of variables, considerations, and consequences may become overwhelming, thus rendering the administrator unable to move forward. In addition, academic administrators will have to learn to be sensitive to certain moral features, and then they will have to pay attention to saliencies that emerge from the matter at hand … but how are they to do that? Mindfulness of situations and the actors within them simply does not just arise; academic administrators need some sort of education or training to help them understand what the underlying moral framework is and how to apply it to their particular situation. Unfortunately, there is no guidance, no easily accessible training or professional development to which administrators can turn in their quest for further knowledge.

Who benefits under this framework? As seen in the previous scenario, still more paradoxes arise. Although students may suffer because of a lack of consistency in judgements over time or across administrators, students benefit nonetheless. The rules-based morality of Rawls’ framework is eliminated under Blum, thus allowing the administrator to be cognizant in particular situations to pick up on salient elements so that the administrator can perceive moral features and then act accordingly. If the administrator is freed to do so, rather than suffer the consequences of a rules-based morality, students will benefit in that administrators can use an entirely different element—saliencies within the event that would otherwise be hidden in a Rawlsian framework, and the administrators’ own morality—to guide their actions. Students will thus be able to appeal, possibly successfully, to the administrator’s moral perception. In the present scenario, for example, students would have benefited from deciding, upon realizing my own moral dilemma, that
there were certain salient aspects to the case that would have led me not to proceed further with the allegation of plagiarism—regardless of the rigid nature of the policy.

Another paradox lies with administrators; although they may suffer in that there could be too many variables to consider under Blum’s framework, nevertheless, administrators paradoxically benefit in that they can focus on particularities of certain events and employ their own morality in their determinations. If things do not “sit right” with those who are compelled to follow policy as they would under Rawls, this discomfort is indicative of some sort of conflict, one that must be related to the administrator’s assessment of the morality of the outcome. Administrators are then freed, after paying attention to particularities, to follow their moral instincts and resolve ethical dilemmas.

What other information needs to be taken into consideration? Knowledge of the students—their background, perceptions, and beliefs—is crucial in this scenario. These are the salient particulars of which Blum speaks. Without this knowledge, the academic administrator would only have to apply Rawls’ framework and move on. Congruent with knowledge of the students, knowledge of the academic administrator and his or her ability to perceive saliencies is equally crucial. A highly perceptive academic administrator may provide students with fairer assessment of the academic misconduct than one who has less developed skills at perceiving particulars of a situation.

What are the intended and unintended consequences? An intended consequence of Blum’s framework as applied to this scenario is the likelihood that students will be empowered within the plagiarism process to appeal to considerations that would not normally be considered in a rules-based morality framework such as Rawls’. This may lead students to the perception that their story matters and that important aspects of their lives will be taken into account in such cases. Although the overall power relationships (professors/students, administrators/students) will still hold, nonetheless a shift in the power relationship will occur: students will have more of a participatory role in the academic misconduct process and may be able to influence outcomes more readily than they are able to do now. Another intended consequence is that academic administrators will also be empowered in such scenarios in that they will be able to approach the academic misconduct process with a sensitivity to their own moral perceptions—a step
that is completely lacking in the Rawlsian framework. This leads to another intended consequence: the reduction in number of moral dilemmas that the academic administrator will have to bear.

The unintended consequences are similar to those in the previous scenario. Paying attention to salient aspects of cases may become unwieldy for the administrator. There are many variables, and students, being human, have deep, rich lives, and thus have many stories. To expect administrators to be sensitive to all that is going on with students to ensure moral outcomes may be extremely taxing for academic administrators. They will have to examine in depth every example of academic misconduct. It is not unusual for academic administrators to handle multiple examples of academic misconduct in a semester, and some of these events involve multiple students. To examine each student in each case to such depth has the potential to result in a highly time-consuming task. Like the previous scenario, it is questionable whether the amount of time spent in this in-depth moral investigation will have returns that justify the investigation in the first place. Another unintended consequence that was seen in the previous scenario is true for this one as well: because of the necessity of investigating the salient aspects of each student, and because of the highly subjective nature of the investigation (it does, after all, depend on the moral perception of the administrator), the entire process can become mired in subjectivity, thus resulting in an allegation that the academic misconduct process cannot be viewed as being unbiased. The unintended consequence is that the process may be seen as unfair, when the intention was just the opposite: to make it fair (or at least less unfair) by taking into account aspects of the students’ lives that would not be considered under Rawls.

**Ethical Dilemma #3: A Physically-Challenged Student and Accommodation**

In discussing phenomenological reflections, van Manen (2002) notes that authors do not write about absolute truths or objective observation; rather, they garner an understanding of the meaning of human existence through their writing about life (p. 7). Van Manen further posits that writers as researchers express what it is like to experience their lives, leaving the interpretation up to the reader. He believes that “the human researcher is not just a writer…. Rather, the researcher is an author who writes from the midst of life experience where meanings resonate and reverberate with reflective being.
The researcher-as-author is challenged to construct a phenomenological text that makes of the reader a writer—rewriting the text again at every reading” (p. 238).

What follows is the “walk-through” I mentioned previously, a hermeneutic phenomenological recounting in “real time” of a current ethical dilemma in my practice. I describe what Vagle (2014) terms a “phenomenological encounter” (p. ii): one involving a physically-challenged student requiring an accommodation about which it was unclear to what length the accommodation would have to go. In consideration of what van Manen (2002) states about the human researcher as writer, it is my intention that readers of the following passage, which explains from the midst of my own experience what it is like to be an academic administrator handling an ethical dilemma, will read the text and rewrite it for themselves. As a result, unlike the previous two scenarios, for the third, I offer no analysis.

**The ethical dilemma: How far to accommodate?**

It is the Thursday of the first week of the fall semester. It has already been a busy week. The Dean’s Office has been preparing for a presentation to the Vice President Finance and the Senate budget committee on the faculty budget for the upcoming fiscal year by meeting individually with the chairs and coordinators of each department, program, and research institute within the faculty. The previous two days have been filled with back-to-back meetings, during which the dean of my faculty, the divisional business manager, and I have consulted with the chairs and coordinators, pored over spreadsheets and departmental plans, and discussed current projects, future expenditures, and past budgetary demands. I do not have a great deal of influence on the finances of the faculty, but my presence is necessary and my perspective and input are valued. The pressure is on to ensure that all ongoing and proposed expenditures are accounted for and that all budget asks have solid rationales. Today, however, there is a reprieve; we have no more meetings until next week, so I retreat to my office, hoping that perhaps I can have a breather and begin to catch up on the other urgent matters that occupy my usual working day as an associate dean.

---

2 All names, genders, titles, and other identifying characteristics in this scenario have been changed to preserve confidentiality.
I begin to work on the first matter: throughout the summer, there has been growing friction between professors and laboratory staff in one of our departments involving extra work that the laboratory staff see as outside of their job descriptions. The professors, on the other hand, feel that the laboratory staff have an obligation to serve the students taking their courses, and some have directed the laboratory staff to do extra work—although professors have no official authority to do so. The result? A serious clash between the two sides, with representatives of both having already sought a remedy by approaching me individually and arguing their case, each expecting that I will side with him or her. On one hand, I am sympathetic toward the laboratory staff, all of whom report to me directly. From my perspective, they have been mistreated for a long time, and I have already worked hard to change the culture of the department to ameliorate working conditions for the laboratory staff. On the other hand, the professors have a point: the students must be served, and this extra work in fact falls within job descriptions of the laboratory staff. It is a complicated matter that demands an ethical solution, and it has already demanded much of my time. After giving some more consideration to the matter, I decide that I will have to unpack the issue further at a later time. The resolution will not be easy; I have to confer with both sides in order to move forward. I write a brief note to myself in my to-do notebook to remind me to revisit the issue at a later date. In the meantime, I have other things to attend to …

… such as the next matter, which involves professors in another department beginning to express their frustration with a lab staff member who has become, over the past year or so, both obstructive and, in their eyes anyway, increasingly unable to fulfill the obligations of her job duties. In fact, the chair of the department recently e-mailed me about a litany of complaints that he had received from professors and staff in the department, all of whom want something to be done, but as I told the chair, I cannot even begin to act on third-party reportage alone. As a result, I informed the chair that if professors and laboratory staff have complaints, they should address them directly to me. This morning, I receive my first, lengthy complaint from a professor via telephone; this will surely not be the last. I make detailed notes in another notebook I keep for such purposes: who did what, when it happened, who said what to whom, and the like. Similar to the issue between laboratory staff and professors, this is another complicated ethical matter. While I understand how the professors feel, I cannot act immediately and side with them, as I
have to be fair to everyone and assess the issue from all sides. Indeed, I have not had the opportunity to talk to the lab staff member to hear her side. After fielding the phone call and reassuring the first complainant that I will look into the situation, I write another brief reminder, and I go on to the next matter …

… which concerns a wayward, unreachable professor who has yet to submit marks for a class he had taught during the summer semester. The deadline for the submission of grades passed days ago in August, and some students’ futures are now being affected by the missing marks. I’m waiting to hear back from the professor after having sent him numerous e-mail messages to his university as well as his personal e-mail addresses over the past few days. I expectantly check my e-mail—again. Disappointment. Nothing yet. The university registrar has followed up with me a number of times since the last opportunity to submit grades back in August, and I am feeling the pressure: students cannot progress without these final marks, and their future academic careers may be affected. I try calling the professor at home, but there is no answer. I leave a voice mail message. I write another reminder for myself to call him again later in the day. Although this situation does not involve an ethical decision on my behalf, I have reached another impasse, so it’s on to the next matter, a task much less pressing or stressful: approving vacation requests. I decide that now is also a good time to eat my lunch—hurriedly, at my desk, over my keyboard (as usual), while I work on the vacation requests—a chore that I know that I will not find overly stressful.

It is now the early afternoon, and while dealing with the vacation requests and some other inconsequential operational matters, I realize that my expected respite has not arrived. I have been occupied with all these issues since I arrived in my office this morning, and the day has flown by. As I am just about to finish with the vacation requests, I receive an e-mail message at 2:45 p.m. from a laboratory instructor—one that presents a serious ethical dilemma. He informs me of a visually-challenged student who has informed him that she will be in the laboratory section of the second-year course he instructs. My immediate thought upon reading the e-mail is that this student, like all other students or employees with bona fide physical or mental challenges, must be accommodated as per legislation, lest the university be cited in a human rights complaint and I be held responsible. However, at the same time, something the laboratory instructor writes in his
e-mail gives me pause and presents the ethical dilemma: he acknowledges that the student must be accommodated, but given the demands of the lab, which involves the use of sharp instruments and extensive microscopy, he asks me how far the accommodation will have to go in consideration of the safety of the student and how much additional workload he will have to take on in order to accommodate the student.

In his e-mail, the lab instructor attaches a Word document listing his concerns. He wonders how the course can be modified for this student given her visual challenge without sacrificing the learning outcomes of the course; how the student will be able to use the microscope given that its accurate use forms part of the mark for the laboratory course; how the student will safely work on specimens difficult to see with the naked eye using surgically sharp instruments; whether to allow a personal care attendant whom the student wishes to employ, a fellow student, to help her during the lab, even though the attendant had just finished the same class herself the semester before and had earned a high grade; and what support from the Dean’s Office would be available to the lab instructor in consideration of the significant amount of extra time it will take to provide this student with the accommodation (e.g., adapting laboratory manuals; planning, re-working, and testing new laboratory activities developed specifically for this student alone; spending extra time with the student before and during the laboratory; and extending laboratory time afterward—for this student alone).

Certainly, I know that human rights legislation is such that I must ensure that the student is accommodated, but the lab instructor raises some valid concerns. I wonder how far my university has to go with the accommodation without experiencing undue hardship yet still accommodate the student. Although I have had experience in the past with accommodating employees, I have had fewer opportunities to do so with students, and of those, not to such a great degree. In fact, the only accommodations for students of which I have been a part have involved extra allotments of time for the student to finish exams—relatively simple accommodations, really, and ones which were not contentious nor involved any ethical decision-making on my part.

To return to this situation, I am aware of the duty to accommodate, mostly, however, through my arranging accommodations for lab staff and professors—in other
words, for employees. I know that employers have a duty to accommodate employees with challenges, but only up to the point of undue hardship (a term which is actually difficult to define or quantify). What, then, is “accommodation to the point of undue hardship?” How does that apply when accommodating students? It is left for me to decide how far to accommodate the student before the accommodation places an excessive burden on the laboratory instructor and by extension, on me and the university. In other words, the ethical dilemma I have to resolve is that I must accommodate the student appropriately, but I have to do so without going too far—i.e., costing too much time or effort on behalf of the laboratory instructor. I immediately realize that this sounds cruel and unfeeling, and I feel uncomfortable for even thinking about limiting an accommodation. A little voice in my head tells me that the length to which I have to go actually does not matter, in that I have to go as far as possible, … no, actually farther. And yet, I struggle: if I go too far (as I believe that I must), I will have an unhappy, overly-worked, and unfairly compensated lab instructor on my hands, one who may believe the accommodation has gone too far. Given that this event is unfolding at budget time, I am keenly aware of the expense it may take to accommodate the student. Will this situation in the end be a case of diminishing returns? I do not yet know. What to do?

To resolve this ethical dilemma, I initially come to the conclusion that I will have to balance the requirements of the accommodation and what is best for the student, the hardship placed on the lab instructor and what is best for her and for the university, and my own beliefs and ethics and what is best for everyone, including me. I initially believe that it may be possible to accommodate only so far. Where to start, then? Associate deans spend much of their time reviewing university policy, so the first thing for me to do is to examine the policy that deals with accommodations. After a brief search through the university’s policy webpage, I discover that although one such policy exists, it focuses exclusively on employees and mentions nothing about students. I pause. Surely there is a policy concerning accommodations for students. I begin to hunt through the other policies on the webpage (not an easy task, due to the way the policies are laid out), and after what seems to be an inordinate amount of time, I find the right policy, one that indeed focuses on accommodations for students. Its name is misleading and even somewhat insensitive (“Services for Students with Disabilities”), so it is no wonder I have spent some time muddling through the list of policies without finding the right one.
In any case, reading through the policy, I note that the rationale recognizes that the university has a moral and legal duty to accommodate students with physical and mental challenges, but alongside this statement, there is also another that makes it clear that the accommodation must uphold academic standards. This wording suggests to me that there may just be a limit to accommodations, but unfortunately, there is no further explanation. Further into the policy, in the principles section, however, I discover some more information: in addition to a repetition of the idea of accommodations’ not lowering academic standards, another statement says that regardless of any accommodations, evaluation must still form a necessary part of the course for students requiring an accommodation and that regardless of the accommodation, they must meet the essential learning outcomes of the course. Again, I believe that these statements suggest that there may be limitations on the lengths to which the university must go to accommodate. But again, there is no further explanation.

I am now torn: on the one hand, policy statements at universities are the rules which govern the actions of employees (of which I am one) and students, and the policies themselves have been formulated ostensibly to be fair to everyone involved—those judging and those judged—and to remove the opportunity for ambiguity or arbitrariness, as per Rawls, about which I have written previously. From that perspective, then, I should adhere to the policy. However, if I follow the rules, I fear that the result will end up penalizing the student. That is, maybe it is best for the student in this case (for all students, perhaps?) for me to go too far in my accommodation, and if I do not, the student will suffer unnecessarily. On the other hand, although I care about the student and her best interests on a human level (even if I have not actually met her), if I approach the situation from a position of focusing on peculiarities, caring for her well-being and giving her every possible chance to succeed, I risk being arbitrary. That is, how can I go too far for this one student and not for all? How can that be fair? For that matter … who am I to judge what is fair and what is not? I wrestle with the answer. I am still not sure how I will resolve this ethical dilemma.

I discuss the issue with my dean, who recommends that I check with the university’s risk management department and with the higher-level administrator responsible for students. The advice is well-taken: risk management deals with issues of
this nature on an almost daily basis, so I expect to find some valuable guidance from that department. In addition, as an associate dean, I am low in the administrative hierarchy, so for far-reaching, potentially serious, sensitive issues such as this one, higher level administrators should at least be informed, if not asked for their advice or even help. I first contact the manager of organizational risk at the university and set up an appointment for the next day. In the meantime, I e-mail the administrator responsible for students, explain the matter, and ask how far I have to go to accommodate the student. By the time I send the e-mail, it is already much past the time that I normally depart for home, so I call it a day and head out.

The next day, I meet with the manager of organizational risk. Experienced in the field, recently hired at my university, yet new to the post-secondary sector in general, she nonetheless offers me some valuable advice: first, she suggests that I contact deans and associate deans at other, similar institutions in the province—that is, those administrators who lead faculties with a similar make-up (i.e., those teaching the same or similar courses that also have laboratory staff). The manager recommends that I ask the administrators if they have had similar situations, and if they have, how they resolved them. This is a great recommendation all on its own, I believe, but what she says next reinforces that the manager is ultimately looking out for the good of the institution. She tells me that once I have learned how my colleagues at other institutions have handled an analogous accommodation, rather than equal what they had done, I should go at least one step further. In other words, using other institutions as comparators, my institution should exceed what the others have done since by doing so, the institution will protect itself from possible repercussions should the accommodations be alleged to be lacking somehow, as if to say that the “industry standard” is an accommodation to a certain degree, yet my institution went further than the “industry standard,” so the accommodation is at the very least sufficient.

Leaving her office feeling that I now have a starting point, I return to mine and call the dean of a faculty similar to mine at a local college that provides courses comparable to mine. I outline the situation and ask her whether she has experienced anything analogous and if so, how far she went in the accommodation. Her answer is immediate: of course, she has, and recently, in fact. She tells me of an accommodation just last
semester in one of the nursing cohorts at that institution. In a class of eight students (clinical nursing classes can be small by necessity), in order to accommodate a student with a specific challenge, the class size had to be cut to two students. This accommodation ended up being very costly for the institution and for the faculty: there was no institutional budget line item for it, so the result of the accommodation had to be absorbed in the faculty’s budget. In addition to the stress on the budget, there was widespread dislike of the accommodation, in that the professors teaching the other clinical classes disapproved of the accommodation (they felt that the professor of the two-student class had a workload that was much lighter than their own), while the professor of the clinical herself held that with the accommodation, her workload was actually heavier than that of her colleagues. Furthermore, the dean had to hire another faculty member at the last minute, a stressful task as well as an unexpected draw on the budget, because there were only enough professors on staff to teach the courses had there been no student to accommodate. Yet, in spite of all the demands on the faculty, the dean tells me that to go to those lengths was, in her mind, the only ethical choice and therefore absolutely necessary—and she would do it again if she had to. In the end, she advises that I go as far as I can with my own accommodation.

A short time after the call, I receive the response from the administrator responsible for students, who refers me to the director of student life. I call her and receive more or the less the same advice: go as far as I can with the accommodation; if anything, err on the side of doing too much rather than doing too little. At this point, I also learn that the Office of Services for Students with Disabilities will provide some recommendations in the accommodation, but ultimately, how far to go has been left to me. I have heard and read enough; I am no longer torn. I have researched all that I can, and I have carefully weighed the choices, which I believe turn out be the following.

One alternative is to accommodate only as much as necessary as per recommendations; in other words, I can provide an accommodation but not go too far. For example, the lab instructor can provide extra time for the student, or he can adapt some of the materials as he deems necessary for the student to be successful and direct the rest of the minimal accommodation onto the student care attendant. The advantages are that while there will be some added workload for the lab instructor, it will not turn out to be
onerous, and he will be relatively happy as a result. His concerns will be more or less met. In addition, the university will have covered its duty to accommodate the student, and the pressure will be off me. The faculty will still have an unexpected draw on the budget, but it will be small and will be able to be absorbed easily. The disadvantage to this alternative is that I will know that the accommodation has been made not necessarily with the student’s best interests in mind. I will also be keenly aware that I could have done more, that the student could have been served to a greater degree than she will be under this alternative. If she ends up being unsuccessful, I will be dogged by the doubt that I have played a role in her lack of success. From an ethical perspective, then, doing only the minimum will not be sufficient.

The other alternative is to go all out and accommodate beyond what is recommended. For example, if the suggestion is to adapt some of the material that the student uses, I should direct the lab instructor to adapt all of the material. If the lab instructor needs to spend extra time with the student, he will spend more than needed, regardless of the workload or the accrual of overtime. No expense is to be spared under this alternative, all in the name of accommodation and the best interests of the student. The advantages are that the student will be served beyond the minimum and will therefore have the best possible chance of success. The end result of the course is now totally in the hands of the student; there will now be no external obstacles to the student’s learning the content of the course or her performance in the labs. In addition, the university will have more than covered its duty to accommodate. As a result, I will have a clear conscience: I will know that I have done all that I can in order to serve the best interests of the student. I will be able to sleep at night. The disadvantages are that the lab instructor will experience a substantial increase in his workload, and for that reason, he will not be happy. On balance, though, he will be compensated for any overtime he will incur, so although he will be putting in extra time, ultimately he will benefit from it. Following from the overtime made necessary through this accommodation, the faculty will experience a substantial, unexpected hit to its budget. Neither my dean nor my business manager may be happy about this choice, but the student will be served and the university spared from any human rights action. From an ethical perspective, then, going beyond what is necessary for the accommodation will result in my being satisfied that I have done the right thing.
I make my decision. At the outset, I felt that I would have to balance the requirements of the accommodation and what is best for the student, the hardship placed on the lab instructor and what is best for her and for the University, and my own beliefs and ethics and what is best for everyone, including me. Upon reflecting on the information I have gathered over the past day or two and on my feelings about what is right, I realize that a balance cannot be attained without compromising something—e.g., the student’s best chance for success, the lab instructor’s workload, my Faculty’s budget, my own ethical makeup. I come to the conclusion that the balance should tip in favour of the student, so I decide that I will go beyond a minimal accommodation. I understand that I cannot make everyone happy—to wit, the lab instructor will not easily accept the added workload and the keepers of my faculty’s budget will not be pleased with the unanticipated expenses due to the accommodation of this student—but regardless of the implications, I must come to this conclusion not only for the benefit of the student and ultimately to the benefit of the university, but also for the benefit of myself and my feelings about what is right.

Consequences for Academic Administrators

Common to the three scenarios are the ethical dilemmas that I faced in my practice. To review, in the first scenario, the ethical dilemma arose when I was compelled by policy to reach the conclusion of “unsatisfactory” for Dr. P in his probationary performance assessment, but it was a decision that I did not believe was warranted due to the steps Dr. P had taken ex post facto to improve his pedagogy and practice. Regardless of how I felt and what I knew about the professor in the time since the assessment had taken place, I believed that I had no choice but to assign a rating of unsatisfactory in his probationary performance assessment. In the second scenario, the ethical dilemma resulted from another instance when I felt constrained by policy to discipline two students for plagiarism, first-year students in only their second month of post-secondary studies whom I had come to believe had not intended to copy. Despite the misgivings I had on account of the students’ lack of experience in writing and functioning at a post-secondary level, again I believed that I had no choice but to assign the discipline as stated in the policy on academic integrity. In the final scenario, the ethical dilemma arose when I was bound by both human rights law and university policy to provide an accommodation to a sight-challenged student, but I was uncertain to what degree I was
to go to provide it, since I was beset by competing values: accommodation for a legally blind student, fairness of lab staff workload, consideration of concern over rigor as expressed by faculty members, and my fiduciary duties and responsibility to the university—i.e., monetary, budget-related constraints. Despite intense pressures from my institution both financial and otherwise, I felt that I had no choice but to go farther than policy or law might allow for in order to accommodate the blind student.

In the three scenarios, I described the source of the dilemmas, and I detailed from a hermeneutic phenomenological perspective how it felt to be an associate dean at my university struggling to make these decisions and being forced to come to difficult conclusions with which I did not feel comfortable. Two of these decisions were according to policy and law but not according to my ethical disposition, and one was according to my ethics but not according to what was warranted or required by policy or law. I described three scenarios in this thesis; however, I (and my colleagues in the same and similar academic administrative roles) grapple with many more such ethical dilemmas in the regular course of our jobs. What I did not discuss, however, are the possible results of these struggles for academic administrators, struggles that associate deans and other academic administrators face regularly in their practice.

That there can be serious consequences for those engaged in recurring ethical struggles at work was first articulated by Jameton in his 1984 text on ethical issues in nursing (as cited in Epstein & Delgado, 2010). The author used the term “moral distress” to describe “a phenomenon in which one knows the right action to take, but is constrained from taking it [resulting in] a threat to one’s moral integrity” (Epstein & Delgado, 2010, p. 1). The level of anguish suffered as a result is, in many cases, not sustained; rather, it peaks in the short term and lessens over time, since the situation bringing about the moral distress in the first place occurs and then is resolved one way or another (p. 4). Given the typically short time frame and nature of these situations, those who experience subsequent similar situations over time develop coping skills on which they can rely in the future. Although moral distress dissipates with time, its overall effect never completely disappears, for one can never fully forget the incident giving rise to the moral distress, nor can one overlook one’s experience and feelings going through the incident.
This inability to forget, along with its effect, is known as “moral residue,” which Epstein & Delgado (2010) define as “the moral wound of having had to act against one’s values” (p. 4). As stated earlier, moral distress may occur in the short term and diminish with the passing of time, but the result, moral residue, never completely disappears: Epstein & Delgado hold that “moral residue is long-lasting and powerfully integrated into one’s thoughts and views of the self [and] can be damaging to the self and one’s career, particularly when morally distressing episodes repeat over time” (p. 4). In 1993, Jameton called this lasting type of moral distress “reactive distress” (as cited in Epstein & Delgado). The authors note that this phenomenon is now known as “moral residue” (p. 4), and they explain that moral residue occurs as the result of one’s having compromised one’s values or having allowed oneself to have his or her values compromised: “after these morally distressing situations, the moral wound of having had to act against one’s values remains. Moral residue is long-lasting and powerfully integrated into one’s thought and views of the self” (p. 4). According to Epstein & Delgado, the residue that remains can be “damaging to the self and to one’s career, particularly when morally distressing episodes repeat over time” (p. 4).

How does the concept of moral distress apply to academic administrators, and what are the potential consequences? Although examined primarily in nursing and other health-related fields (see, for example, Austin, Rankel, et al., 2005; Hardingham, 2004; McCarthy & Deady, 2008; and Pendry, 2007), moral distress “can be experienced in all professions and in all work settings” (Ganske, 2010, p. 2). For example, in the academic environment, I experienced moral distress in the three scenarios above when I was forced to make decisions with which I was uncomfortable. Certainly, situations giving rise to moral distress are not limited to me as an associate dean: as noted, academic administrators find themselves in similar circumstances on a regular basis. Brown & Gillespie (1999) surmise that moral distress arises as a result of restraints on moral agency, in that in the post-secondary context, “faculty, staff, and administrators must assume a fair degree of moral agency, [yet] universities present impediments to moral agency that may be the cause of moral distress” (p. 36). The authors state that “even senior faculty and high-ranking administrators—those at ‘the top’—often feel restricted in their capacity to shape practice and policy” (p. 36). As can be seen in my three scenarios, a loss of agency
contributed greatly to the moral distress that I suffered as I worked to resolve each moral
dilemma.

In the post-secondary academic world, few researchers have examined the results of
moral distress. Brown & Gillespie (1999) believed that one consequence was
demoralization, and they proposed using Augusto Boal’s “Theater of the Oppressed” to
help faculty members, researchers, and administrators “to imagine alternatives to moral
distress” (p.36). In Boal’s participatory theater, the audience scripts and acts, and
“everyone is encouraged to take part in the brief scenarios that are played out” (p. 37).
The spectators thus become the actors, or “spect-actors” (p. 37). The authors found that
“Theater of the Oppressed can help hone skills, courage, and collective responses to
resist the sources of moral distress. By naming the circumstances of our oppression …
Theater of the Oppressed enables us to gain insight into demoralizing forces and inspires
us to act against them” (p. 39). Through the use this method, Brown & Gillespie present a
novel method for dealing with moral distress. That said, in my scenarios, had I used
Theater of the Oppressed, the technique may have helped give voice to my struggles and
those of my fellow administrators, but I cannot say whether it would have aided me in
acting against the sources of my moral distress. Further research is necessary to ascertain
whether Brown & Gillespie’s method may be of help to academic administrators. Ganske
(2010) felt that other results of moral distress were physical and psychological symptoms,
such as sleep deprivation and headaches for the former and “feelings of anguish,
frustration, anxiety, and/or guilt” (p. 3) for the latter. Centering on post-secondary students
(rather than on faculty members or administrators, as did Brown & Gillespie), the
researcher made no recommendations as to how to handle moral distress; instead,
Ganske advocated for more research so as “to decrease moral distress in academic
settings and strengthen the education of nursing students” (p. 6).

Epstein & Delgado (2010) identified three other results of moral distress, consequences mostly specific to those in the field of nursing: becoming morally numb to
ethically challenging situations, expressing objections to morally distressing situations,
and after experiencing many episodes of moral distress, becoming burned out (p. 5). Since
the authors were writing from the perspective of healthcare providers, it is not difficult to
see the relationship between the first two consequences and people employed in nursing.
In terms of the university environment, academic administrators may become morally anaesthetized in morally challenging situations, thus going through the motions (so to speak) without feelings of investment in the outcome, but given the life-and-death situations presented to nurses, it is probable that this consequence relates more to those employed in healthcare than it does to academic administrators. Academic administrators may also verbalize their objections to morally distressing situations, what Epstein & Delgado refer to as “conscientious objection” (p. 5), but since they normally work in settings different from what one might expect in a hospital or care home environment (e.g., academic administrators often work alone, usually in their own offices, and thus gather together as a group infrequently), it is again probable that this consequence relates more to healthcare. However, the third consequence, burn out, is one that may very well apply to academic administrators. Like nurses, academic administrators, after experiencing ethically challenging situations repeatedly, may reach a breaking point and thus cope by abandoning their administrative position and returning to the classroom or their research, retiring, or leaving the field of post-secondary education entirely.

As seen above, one consequence for academic administrators as they struggle to resolve ethical dilemmas in their practice is what Jameton referred to as moral distress, for academic administrators will more than likely be actors in situations in which they may have strong feelings about how they should act but be limited by constraints that force them to act against their morals. As they continue to do so over time, arriving at decisions with which they do not feel comfortable, academic administrators may also accrue the moral scars of having to live with these decisions. In the scenarios above, I experienced moral distress, and as the scenarios passed and time went by, I still carry with me the resulting moral residue. As expressed previously, moral distress and the resulting moral residue can have serious consequences for academic administrators, yet due to the nature of the research conducted so far (that is, mostly in the field of healthcare), and due to the paucity of research in other fields, the results for academic administrators are little understood and thus deserve further examination.
Chapter 5.

Implications for Future Research

Revisiting Existing Research: From Outside-Looking-In to Inside-Looking-Out

As a result of my experience as an associate dean, from the time I was initially appointed to my first associate dean’s position to the present, I have sought to gain an understanding into how academic administrators in the post-secondary context resolved ethical dilemmas in their practice, an inquiry that I learned was ill-addressed in the educational leadership literature. My curiosity was piqued shortly after I was appointed interim associate dean. I discovered, contrary to my expectations that academic administrators would act uniformly (i.e., unyieldingly according to policy), that the other academic administrators in my institution, who, like me, had had no prior training in academic administration, seemed to resolve ethical dilemmas by relying on their own sense of what they felt was the right thing to do given the particulars of the situation.

In this thesis, my review of the literature indicated that while scholars recognize the necessity of moral or ethical decision-making for academic administrators, researchers have focused mostly on administrators in the kindergarten-to-grade-twelve (K-12) system—i.e., vice-principals, principals, and the like. As a result, there is a paucity of research that examines the ethical decision-making of academic administrators in the post-secondary context. Additionally, my review indicated that, regardless of the subjects on whom researchers focused (K-12 administrators or academic administrators in the post-secondary context), the researchers, most of whom were not administrators themselves, used traditional empirical methodologies to approach their research; that is, they attempted to understand how administrators resolved ethical dilemmas in their practice by examining participants from an pseudo-experimental third-party perspective, and from their observations they made generalizations based on the outcome of their research—an "outside looking in" approach that reflects conventional research paradigms and one that I believe does not account adequately for the lived experience of the researcher her- or himself. As I mentioned earlier, the traditional approach lacks the thick description characteristic of the lived experience—what it was like to be the person as he
or she lived through his or her experience. That the majority of research has been conducted from this “outside looking in” perspective represents a gap in the literature, and to address this gap, I adopted a hermeneutic phenomenological approach for my research, examining my own lived experience: how I felt, what I saw, what I did—in short, what it was like to be an associate dean resolving ethical dilemmas in my practice. As I explained above, hermeneutic phenomenology allows one to interpret human experience, and in this thesis, the methodology was vital in coming to an understanding of my lived experience. To this end, I related three of my lived experiences in the form of scenarios from my own practice, two of which I analyzed using the moral frameworks of Rawls (2001) and Blum (1994).

Common to the three scenarios were my struggles with making ethical decisions. I found that there can be serious consequences for people who experience repeated challenges to their ethical make-up: moral distress and moral residue, terms first used in the field of healthcare, specifically in the examination of nurses and their everyday practice. I discovered that moral distress and moral residue apply to academic administrators too. However, there are some substantial differences between existing research on nurses and potential research on academic administrators, as will be explained in detail below.

In any case, it was my hope in this thesis that the recounting of my lived experience in the three scenarios and my analysis of two of them might serve as a guide for current or future academic administrators to learn about resolving ethical dilemmas in their own practice.

**Future Research: Lived Experience and Other Moral Frameworks**

I have provided a thick, detailed examination of my lived experience from an “inside-looking-out” perspective, but I recognize that further research is necessary. One area that is fertile ground for further inquiry is an examination of the dilemmas of other academic administrators in the post-secondary context through the lenses of moral frameworks. Earlier, I related three dilemmas I had faced in my practice, analyzing two of them through the lenses of two moral frameworks. I chose Rawls’ (2001) conception of justice as fairness and Blum’s (1994) focus on moral perception and particularity based
on my belief that administrators are often pulled in opposing directions when they have to resolve ethical dilemmas in their practice: on one hand, they must be fair to everyone in reaching their decisions (therefore the choice of Rawls), yet at the same time, they also must deal with students, professors, parents, other administrators—humans all, each with an individual story to which academic administrators must also pay attention in order to reach ethical decisions for that particular individual (thus, Blum). As I noted, Rawls and Blum are not the only moral frameworks; others do exist, such as the two to which I referred earlier: Noddings’ (2002) ethic of care and Nussbaum’s (1995) focus on empathy and compassion. I focused on Rawls and Blum for the purposes of this thesis, but it is likely that academic administrators in the post-secondary context are influenced by Noddings and Nussbaum as well—thus, two additional moral frameworks that could be examined by future researchers.

To return to further research, little work has been conducted on the lived experiences of academic administrators in the post-secondary context. To remedy this gap, future scholars could examine the lived experiences of other academic administrators in the post-secondary context (more on how to do this later in this chapter) and analyze these experiences through Noddings’ and Nussbaum’s frameworks. It might be fruitful for researchers to do as I did: they could examine who benefits and who is harmed within each framework and explain what the intended and unintended consequences might be. Another avenue to explore, one that builds on my examination of Rawls and Blum, is to investigate the similarities and differences between Noddings, Nussbaum, Rawls and Blum (and/or others). Still another opportunity for exploration is to examine the moral frameworks of academic administrators in terms of which frameworks they typically use outside of their work environment (e.g., in their personal lives) and which ones they use at work. Do academic administrators change their moral frameworks when they are at work? Or do they simply import into their work context the moral framework(s) under which they operate at home? Research in this vein is lacking, yet further studies could help to reveal how post-secondary academic administrators resolve ethical dilemmas in their practice as well as serve as a guide for current or future academic administrators in the post-secondary context to examine their own practice.
Other Inside-Looking-Out Perspectives

Another potential area for future research is a further recounting of the lived experience, from a hermeneutic phenomenological viewpoint, of other academic administrators in the post-secondary context as they resolve ethical dilemmas in their practice. As indicated earlier, only a small number of researchers have examined post-secondary administrators, notably Wepner, D’Onofrio, & Wilhite (2008) and Catacutan & de Guzman (2015). Other researchers, such as Begley & Johansson (2008); Cranston, Ehrich, & Kimber (2006); Eyal, Berkovich, & Schwartz (2011); Hicks (2011); Law, Walker, & Dimmock (2003); Minnis (2011); and Zupan (2012), have written on ethical decision-making in academic administration, but have focused on the K-12 sector. Additionally, all of the research cited above has been written from an “outside-looking-in” perspective.

An opportunity exists for further inquiry into how academic administrators in the post-secondary context resolve ethical dilemmas in their practice: to use a hermeneutic phenomenological approach in order to provide other “inside-looking-out” perspectives. To do so, one suggestion is for future academic administrators (who would probably also have to be researchers themselves) to recast Wepner, D’Onofrio, & Wilhite (2008) and Catacutan & de Guzman (2015) in order to attempt to provide their own “inside-looking-out” viewpoint. Of course, it may be unrealistic to expect academic administrators to conduct phenomenological research on themselves, since the number of academic administrators in the post-secondary context who are also active researchers is relatively small, and the number of those who are skilled in the methodology of hermeneutic phenomenology is undoubtedly smaller still. To address this challenge, a skilled “third-party” researcher interested in further phenomenological inquiry could look to van Manen (1990) for assistance in examining the lived experience of others. In his guide to third-party phenomenological research, he gives six suggestions for those interested in producing a lived-experience description of others. Two of the suggestions are: “focus on a particular example or incident of the object of experience: describe specific events, an adventure, a happening, a particular experience” and “attend to how the body feels, how things smell(ed), how they sound(ed), etc.” (p. 65). He also provides instruction on interviewing in order to ascertain the personal life story of the interviewee—e.g., “ask the person to think of a specific instance, situation, person, or event [and] then explore the whole experience to the fullest” (p. 67), and he details other resources that authors can
use to inform their research, such as observation, biography, and diaries, journals, and logs—all of which can contribute to phenomenological reflection. The purpose of all this is to approach a fundamental understanding of the meaning of the lived experience.

To return to the recasting of Wepner, D’Onofrio, & Wilhite (2008) and Catacutan & de Guzman (2015), rather than interviewing deans and other administrators and asking them how they solved problems in response to questions and scenarios and then codifying the answers and categorizing them into four dimensions of leadership, researchers could instead interview the participants as per van Manen (1990), having them describe their lived experience in as rich detail as possible as they encountered specific salient “leadership problems” (Wepner, D’Onofrio, & Wilhite, p. 153) or as they worked to resolve a “salient ethical dilemma” (Catacutan & de Guzman, p. 492). The authors could then seek meaning from the descriptions, producing a hermeneutic phenomenological analysis by, for example, conducting van Manen’s thematic analysis—e.g., uncovering thematic aspects (p. 90), isolating thematic statements (p. 92), determining incidental and essential themes (p. 106) and so on. Short of the participants performing this research on themselves, third-party researchers could conduct their research from a phenomenological perspective and could therefore approach the “inside-looking-out” perspective I discussed earlier.

**Further Research Regarding Moral Distress and Moral Residue**

A recasting of prior research from an “outside-looking-in” approach to one that is “inside-looking-out” may be productive in the pursuit of further research, but it is not the only one. Still another area for further inquiry, one that arose during the course of my own phenomenological examination and one that has been little studied in the post-secondary context, is the moral distress and moral residue of post-secondary academic administrators. As I outlined in the previous chapter, both moral distress and moral residue have been examined in depth in the healthcare environment, with researchers focusing on the moral distress that caregivers, mostly nurses, experience and on the moral residue that accumulates for some of them, yet little research exists on the moral distress and moral residue of post-secondary academic administrators.
Review of moral distress and moral residue

To review, moral distress occurs when people are forced to take actions that are contrary to their moral disposition, actions Epstein & Delgado (2010) refer to as a “threat to one’s moral integrity” (p. 1). Moral distress is not longlasting; it tends to peak and then dissipate in the short term, yet those going through the experience can suffer greatly. An exemplar of moral distress is an anecdote that Epstein & Delgado relate about nurses caring for Mr. Jones (p. 12), an 82-year-old resident of a nursing home suffering from dementia. The patient is combative and abusive, and he attacks attending nurses physically, causing harm both to himself and to the nurses attending to him, some of whom must even be hospitalized for their injuries. The nurses feel that it is in the best interest of Mr. Jones to be sedated so that he does not injure himself or others, but the patient’s power of attorney, his wife, refuses to allow him to be medicated. The doctors who care for Mr. Jones see him only irregularly, and when they do, Mr. Jones does not act out, so they do not agree with the nurses concerning the sedation. In sum, the patient’s wife will not allow Mr. Jones to be medicated, and the doctors do not realize the severity of the circumstances and are not prepared to support the nurses. Morally, the nurses know that they cannot abandon Mr. Jones: they must tend to him. Yet when they do, they are forced to withstand abuse and injury as they go about their duties to care for him, and they must somehow bear the patient’s hurting himself. The result of this untenable situation is that the nurses feel “trapped” (p. 12), since they know what is best for the patient and, in turn, for themselves. They remain afraid for their own safety, they have to endure witnessing the patient harming himself, and they continue to be harmed by the patient. However, they have no power to influence or to ameliorate the situation and must tolerate it.

Although moral distress is a short-term occurrence, its effect tends to last, since memories of painful events tend to linger. In other words, it is difficult for people forget the deeply hurtful experiences they must undergo, and in the case of the above anecdote, the nurses cannot easily forget having to act against their morals because the experience of doing so is painful—both physically and psychologically. As a result, although moral distress occurs, peaks, and dissipates (in this case, the events surrounding caring for Mr. Jones), the memory of the incident(s) giving rise to the moral distress never completely disappears. This phenomenon of never being able to forget completely the moral distress one endures is known as moral residue, a lingering effect to which Epstein & Delgado
Differences between existing research on nurses and potential research on academic administrators

The concepts of moral distress and moral residue have been examined extensively in the field of nursing, as Ganske (2010) pointed out, but moral distress and moral residue are not exclusive to those in healthcare, as witnessed by my description earlier in this thesis of the three scenarios in which I resolved ethical dilemmas in my practice. My experiences notwithstanding, there has been little examination of the moral distress and moral residue of post-secondary academic administrators, so little is known in this context. However, as I touched on in the last chapter, there are key differences between academic administrators in the post-secondary context and nurses that must be taken into account if further research is to be carried out.

One difference is the different standards to which nurses and post-secondary academic administrators are held. Ganske (2010) emphasizes that “the nursing profession has traditionally [been] held to a high standard of moral behavior and ethical practice” (p. 1). In most jurisdictions, they are licenced and their work is overseen by a governing body. Nurses, by nature of their jobs, are placed in a position of care for patients, some of whom may be vulnerable, in life-threatening situations, or totally dependent on their care. Thus, nurses must tend to their patients appropriately and act morally, ethically, and above all, safely. As a nursing colleague of mine once told me, if professors or administrators in post-secondary make a mistake (and realize they have done so), they can take steps not to make the same mistake the next time that they are faced with a similar situation. However, if nurses make a mistake in their practice, the result could be the death of the patient [personal communication]. The stakes are high: nurses can be held accountable for their actions by their patients, their patients’ families, their nursing colleagues, their doctors,
and/or their governing body; if they err on duty, the consequence could thus be both the harm or death of a patient and the potential loss of their licence to practice. Post-secondary administrators, however, are not held to such a high standard. They are not licenced; there is no governing body outside the institution that employs them. Of course, they must act appropriately, and in some cases, they must be careful in their treatment of others, since some of the people (students mostly) whom they serve may be vulnerable, in that they may be under the age of 18 or they may have some sort of physical or mental challenge. However, even in such cases, the stakes for academic administrators are relatively low. A mistake may result in a situation that may be difficult to resolve, but mistakes can be rectified, and ultimately, it is unlikely (although not impossible) that anyone an academic administrator oversees would die as a direct result of an erroneous administrative decision or action.

Another dissimilarity between nurses and post-secondary academic administrators arises as a consequence of the differential explained above. Due to the high-stakes nature of the work that they do, nurses have an immense degree of responsibility that may serve to magnify the moral distress and moral residue that they experience. For example, they may be involved in grim end-of-life situations that severely test nurses’ moral and ethical make-up. Pendry (2007) related one such case which concerned nurses being “asked by patients to assist them in dying” and the responses of the nurses to such demands (p. 218), and another in which nurses had been directed to act in order to hasten the dying process by withdrawing nutrition or administering opiates that ultimately cause death (but relieve suffering in the process). Academic administrators in the post-secondary context, on the other hand, have a much lesser degree of responsibility. Clearly, the decisions that academic administrators make may have a lasting effect on students and others—e.g., a student’s academic reputation can be permanently damaged when he or she has cheated and has been caught plagiarizing—but neither life nor death is dependent on the outcome of the academic administrator’s deliberations. Even so, post-secondary administrators struggle with resolving certain ethical dilemmas in their practice, as witnessed by the three scenarios I described above, and post-secondary academic administrators may experience a high degree of moral distress and moral residue. Although it is probable that the magnitude of their suffering does not reach that experienced by nurses, still little is known about that aspect of the job and it therefore merits further inquiry.
Another difference between nurses and post-secondary academic administrators is the context in which they work. Nurses work in a highly social atmosphere. They often work with other nurses in teams; they interact with people throughout their day, communicating with patients, the relatives of their patients, nurses, student nurses, physicians, residents, interns, hospital administrators, and others. This level of sociability could be wearing and may even be a source of moral distress and moral residue itself, since differences in practice, beliefs, ethics, etc. among nurses and between nurses and others have the potential to create situations resulting in ethical dilemmas. That said, the fact that nurses work in such close proximity to other nurses may be beneficial, in that it may also help them mitigate the moral distress and moral residue they may experience. Given that they are in constant contact with colleagues who presumably have similar experiences, nurses have the opportunity to share their feelings with their colleagues. Pendry (2007) notes that “the simple of act of being allowed to share their morally distressing situations yielded relief [and] nurse leaders can facilitate this sharing by initiating conversations” (p. 5). Academic post-secondary administrators, on the other hand, often work alone. Their numbers are few; they tend to occupy positions such as dean or associate dean, both of which are at the head of their work groups (i.e., faculties or other administrative designations, such as divisions), so they operate on their own and are usually isolated in their offices, which are also often physically separated from their colleagues’ offices and those whom academic administrators lead. Administrators’ interactions with others in a normal day can be relatively few, and when they do interact, it is often at a distance—for example, on the phone or via e-mail. They may meet with other academic administrators, but they do so only infrequently, and when they do meet, there is typically only time to discuss the business at hand. In contrast to nurses, academic administrators do not have many opportunities to share their experiences with their colleagues. Although their moral distress and moral residue may be to a lesser degree than that experienced by nurses, it is nonetheless likely that academic administrators bear their dilemmas alone, potentially exacerbating their moral distress and adding to their moral residue. Again, little is known.

A final difference between nurses and post-secondary academic administrators is the relative power structure under which nurses and administrators operate and the result it must have on the moral distress and moral residue each experiences. Nurses are low in
the healthcare hierarchy and must answer to head nurses, physicians, specialists, and others. Although Pendry (2007) omitted mentioning those nurses to whom other nurses report, she observed that “nurses have two masters: the organization that pays their salary and the physicians who direct their care” (p. 217), a situation that contributes to “role conflict if the expectations of these two authorities are discordant” (p. 218). Because nurses usually work on the front line caring for patients, they are low in the chain of command and thus have neither a great degree of agency nor much control of their work; they are constantly serving someone, whether it is their patients or their superiors. As a result, nurses may experience a greater degree of moral stress and moral residue if the decisions and/or actions they are required to take conflict with their moral values or beliefs.

Academic administrators, however, occupy a markedly different position. As deans or associate deans, they are at the top, or almost at the top, of the academic hierarchy. Certainly, they may have a superior, such as a vice president or a president, but for the most part, they are not put in a position of answering to someone. They thus have a great degree of agency and much control of their work. Since they have the latitude to address issues on their own, they may experience a lesser degree of the kind of moral distress and moral residue that results from having to carry out others’ orders. However, little research exists that examines the moral distress and moral residue of academic administrators that comes from bearing individual responsibility for difficult moral decisions, so further work in this area is merited.

To conclude, little is known about the moral distress and moral residue of post-secondary academic administrators. Taking into account the differences between the professional practices of nursing and academic administration, future researchers could adopt a phenomenological approach to exploring the moral distress that post-secondary academic administrators experience, along with the moral residue that accumulates as a result. They could look to the abundance of research already available in the field of nursing and adapt it to examine moral distress and moral residue using an “inside-looking-out” perspective similar to that I adopted in previous chapters.
Chapter 6.

Conclusion

In summary, as a faculty member first and then faculty association table officer in a large teaching university, I came into the job of academic administrator with the belief that academic administrators operated in unison and had little if any agency in determining how to resolve ethical dilemmas in their practice. I believed that academic administrators strictly followed policy, and had no opportunity to interpret the rules and act on their own values. However, once appointed to the position of interim associate dean, I soon learned that my belief was incorrect: post-secondary academic administrators could and did resolve ethical dilemmas according to their own ethical and moral make-up. This realization prompted me to wonder how these academic administrators, people who for the most part were former classroom teachers or researchers, resolved ethical dilemmas in their practice when they had received no training for administrative work.

I brought this question into my doctoral program and it eventually led to my writing this thesis. The literature review above examined the work that had focused on academic administrators in terms of how they made ethical decisions in challenging situations. I felt it necessary at the beginning of my quest for understanding to review basic ethics and to examine work that had been done regarding ethics and educational leadership. I learned that a great deal of attention in recent times had been paid to ethics in educational leadership, especially in the K-12 sector. Due to various challenges such as internet use, social diversity, and the global economy after the last downturn in 2008, it had become increasingly important for educational leaders to be, as Begley (2010) observed, “purpose-driven” (p. 32) and to have “a strong sense of moral purpose” (p. 52). Academic administrators should have a grounding in ethical leadership practices in order to handle the dilemmas that they face in their practice, since educational administration was beginning to be seen as something more than mere management.

After reviewing ethics in educational leadership, I examined the literature to determine how post-secondary academic administrators resolved ethical dilemmas. I learned that although many researchers agreed that academic administrators should have
an understanding of ethics so that they could both manage efficiently and lead capably, the existing research on how academic administrators in the post-secondary context resolved ethical dilemmas in their practice was unclear. One reason for this was the variety of approaches that researchers took. Some tackled the question by exploring the personal values held by academic administrators and how those values influenced the decisions they made, while some others looked at the moral decision making frameworks of academic administrators and the how those frameworks affected their decisions. Still other researchers examined the question using other means, such as adopting a hybrid approach using both personal values and moral frameworks.

Another reason for the lack of clarity was the limitations inherent in the existing research. Most of the literature focused on academic administrators in the K-12 sector; I found that little research exists that examines academic administrators in the post-secondary sector. In addition, all of the studies I read adopted an experimental research design in order to examine academic administrators: for example, researchers used surveys, questionnaires, and the like in order to test their hypotheses on how academic administrators in their studies resolved ethical dilemmas in their practice. As I read through the literature, it became increasingly evident that the scientific perspective that authors adopted in all of the research left some questions unanswered—and perhaps unanswerable by traditional scientific means. The researchers had approached their studies using a third-party approach—i.e., from the outside looking in. Few of the researchers were academic administrators themselves, so they conducted their research on and with others. Because of a preponderance of research from this traditional third party perspective, I discovered a gap in the literature and proposed that the field of higher education would also benefit from research on how academic administrators resolve ethical dilemmas in their practice from an inside-looking-out approach.

The research methodology that I found best suited to examine how academic administrators in the post-secondary context resolved ethical dilemmas in their practice was hermeneutic phenomenology. I had considered reflective practice as a methodology given its strong influence in the pedagogy of teaching (see, for example, Brookfield, 2017; Berry, 2008; or Zeichner & Liston, 2014), and that most administrators are former researchers or classroom teachers having had at least some classroom experience.
However, for reasons related to the differences between teaching and academic administration, it became apparent to me that to capture the “inside-looking-out” perspective, a hermeneutic phenomenological approach as that of van Manen (1990) would help me to interpret my own lived experience as an academic administrator in order to attempt to understand how I resolved ethical dilemmas in my practice. To do so, I related three incidents that required me to make difficult choices that tested my ethics, occasions that I had lived through as an associate dean—my lived experiences—which, for the purposes of this thesis, I termed scenarios. I analyzed two of the three scenarios using the moral frameworks of Rawls (2001) and Blum (1994) in terms of who benefited, who was harmed, intended and unintended consequences, and so on. I chose each moral framework carefully in consideration of the main focus of each framework and how each applied to the work of an associate dean. I chose not to analyze the third scenario, leaving it up to readers to create meaning for themselves, as per van Manen (2002).

After exploring these scenarios, I found that there can be serious consequences for those engaged in ethical struggles at work, notably moral distress and moral residue. First articulated in the literature concerning the field of healthcare, specifically, nursing, moral distress refers to the misgivings aroused in people in situations in which they know what the right action is to take but is somehow are limited or prevented from taking it. Moral residue refers to the effect of moral distress, in that those who experience moral distress can be so harmed that they can never forget the situations which brought on the moral distress. The feelings or memories that result accumulate—hence the term moral residue. Like nurses and others in healthcare, academic administrators must also make serious decisions that may be contrary to their ethics, so they, too, can suffer moral distress and moral residue.

Similar to other studies of this nature, my work has limitations. One is that the hermeneutic phenomenological approach I adopted to describe my lived experience as I resolved ethical dilemmas in my practice is interpretive and highly individual, and thus not reproducible. Unlike studies in the natural sciences, those in what van Manen (1990) terms “human science” forego the tradition of the disinterested third-party observer measuring or categorizing data; rather, they seek to understand and interpret lived experience. In my case, I sought to describe how I felt or what is was like for me to be an academic
administrator, and in this way, my readers might experience or interpret my lived experience as an academic administrator so that they might gain an understanding into how I resolved ethical dilemmas in my practice. Another limitation is evident in the moral frameworks that I chose to analyze my scenarios. I purposely chose Rawls (2001) and Blum (1994) because for the former, academic administrators work in a context that emphasizes justice and fairness for all, and because for the latter, academic administrators must pay attention to the particulars of the individuals with whom they work, each of whom has his or her own story that must be heard. Other researchers may have differing opinions as to the moral frameworks under which academic administrators operate and choose different frameworks. Regardless, no one framework is inherently better than another or others. My choices were a matter of my own interpretation of what academic administrators do and the world in which they operate: other researchers may have a different interpretation and may therefore choose other frameworks.

To return to my initial question, it is important to understand how academic administrators in the post-secondary context resolve ethical dilemmas in their practice. Little is known currently about this aspect of the job, since most of the existing research has focused on administrators in K-12 education. In addition, what little research that does exist has been conducted using a traditional empirical approach (regardless of the focus: K-12 or post-secondary academic administrators). This outside-looking-in perspective does not take into account the lived experience of those wrestling with their own scenarios. This thesis, then, is an attempt to shine a light, from the inside-looking-out, on the experiences of one academic administrator resolving ethical dilemmas in practice. In addition, it is intended to contribute to the conversation on academic administrators in the post-secondary context, as did Boyko (2009) in her discussion of academic chairs, and on academic administrators in the post-secondary context as they resolve ethical dilemmas in their practice, as did Englehardt (2010), in her examination of ethics in higher education administration, for as Schrag et al. (2010) note, “the practical activity of academic administration itself has not been the subject of much sustained ethical reflection” (p. xiii). Finally, it is intended as an invitation to other current and future academic administrators to take up this work as a legitimate contribution to the scholarship in higher education.
References


Vagle, M. D. (2014). *Crafting phenomenological research*. Walnut Creek, CA: Left Coast Press.


