Introduction

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Educators, including teachers and school leaders, face challenging ethical decisions on a regular basis. For example: How should teachers proceed with a student who has not met numerous criteria for passing eighth grade, but who will predictably drop out if she is held back? What should be done about a student with diagnosed impulse control issues who benefits from being mainstreamed with her peers, but who also frequently disrupts class and increases everyone's stress level even when she is under control? How stringent should teachers and department heads be in calculating grades if they know that grade inflation helps students secure admission to selective colleges and universities, but fear that students will never learn what they're truly capable of if held to lower expectations? Should a high school teacher report a student who steals her cell phone if she knows that the likely consequence of turning him in is his conviction and incarceration on adult felony charges?

Education policy makers also frequently confront questions especially of justice and equity. For example: In designing a new school assignment plan, is it ethical to pander to middle class families' preferences so as to draw them—and their social and economic capital—into the state system? Should a high-achieving, "no excuses" charter school be required to reduce its well-above-average attrition rates as a condition of expanding its charter if its academic success rests in part on students' and families' compliance with its expectations? Is it appropriate for school, district, or state policy makers

to constrain some families' choices in the name of increasing or equalizing opportunities across the board?

These questions are both utterly ordinary and immensely challenging. These are not exotic problems; they are everyday dilemmas. But educators and policy makers generally receive little support in thinking them through other than as technocratic challenges, especially in the current context of global education reform. The cases are treated as challenges of compliance, leadership, communication, data analysis, student support, or instruction. They are rarely treated as *ethical* challenges of equity, merit, respect, inclusion, fairness, or human rights—that is, as challenges that require educators and policy makers to think carefully about the values and moral principles at stake. We believe this needs to change, since students, educators, and citizens alike deserve school systems that enact ethical practices and policies.

Given the lack of a public conversation about dilemmas of educational ethics, educators and policy makers often wrestle with these issues on their own. Many teachers and school and district leaders, for example, agonize about having perpetrated injustices or failed to treat others ethically in the course of their everyday decisions.[1] But they lack tools for, and practice in, analyzing and making collective decisions about these kinds of practical ethical conundrums. Rather, ethical challenges remain private affairs, embarrassing for educators and policy makers to reveal to others lest they expose themselves as having potentially perpetrated unjust or ethically questionable acts. Ethical uncertainty is treated as an admission of weakness rather than an opportunity for collective learning.

Furthermore, when considerations of educational justice in particular are brought to the fore, they are usually treated as having determinate content: they are used to exhort, not to educate or to explore. After all, there is no shortage of moralistic mantras in contemporary national discourse about education: Former US Secretary of Education Arne Duncan emphasized repeatedly that education is the "civil rights issue of our time"; numerous teacher training programs claim to prepare graduates to promote "education for social justice"; charter networks and districts alike propound that "all children deserve a great education"; and a decade of federal education policy was designed to "leave no child behind."[2] These declarations are often treated as offering self-evident guidance for education practice and policy, as giving clear rather than murky answers about how to serve individual students and foster strong schools while at the same time striving for massive social transformation.

In practice, however, such mantras obscure moral tensions swirling just under the surface. Is justice better realized by pulling a kid up through

the cracks, but then leaving others to contend with the yawning chasms in her academic preparation, or by letting her fall through in hopes of creating better systems to serve all kids—but not her? When students' future opportunities are shaped by present-day interpersonal, institutional, and structural racism, will schools better fulfill their "civil rights" missions to provide a "great education" for "social justice" by teaching students what they need to survive within the system, or by preparing them for a more just world that may or may not ever come into being? When more children have needs than teachers have minutes in the day to serve them, what or who should give? When a particular practice harms children or the system as a whole, but collective action is necessary to change the practice and individual defections may in the meantime actually make things worse, what should any one teacher, school leader, or district policy maker do?

These are the kinds of questions that educators, school leaders, and education policy makers are grappling with each day. They (we!) are struggling with them in wealthy and in middle- and low-income schools; in rural, suburban, and urban districts; in magnet, regular district, charter, parochial, and independent schools; along the coasts, in the American heartland, from south to north, and everywhere in between. Our purpose in this book is to initiate a collective conversation about these kinds of questions.

In so doing, we hope to provide support and affirmation to educators and policy makers who are already wrestling with these issues, and to strengthen their capacities to address ethical dilemmas in their own work. We also hope to provoke philosophers—those with professional expertise in ethical reasoning—to attend more carefully to these kinds of challenges. By doing so, they can develop moral, political, and education theory that can provide context-sensitive guidance about complex problems of education policy and practice. Finally, we hope to enable a more open conversation among all stakeholders—education scholars and other empirical researchers, policy makers and practitioners, philosophers, activists, parents, students, business leaders, journalists, and citizens—about what values and principles we should collectively be trying to realize in education policy and practice.

CASES AND COMMENTARIES AS GUIDES FOR PHRONETIC INQUIRY

This is an ambitious set of goals. How do we try to achieve them? At the center of the book are six normative case studies, which we define as *richly described, realistic accounts of complex ethical dilemmas that arise within practice or policy contexts, in which protagonists must decide among*

courses of action, none of which is self-evident as the right one to take.[3] The case studies in this book have been developed over the past three years as part of a research project on Justice in Schools at the Harvard Graduate School of Education led by Meira Levinson. The case studies focus on dilemmas of educational ethics that have arisen in classrooms, schools, and school districts in recent years—specifically, the dilemmas with which we opened this introduction. Four of the case studies are works of fiction inspired by true events and two are entirely factual. They cut across private and public, urban and suburban, impoverished to wealthy schools. They also address curricular, pedagogical, and cultural decisions at the classroom and school levels, and raise policy questions at the school, district, and state levels.

Although each case is rooted in a specific context and grade level, similar and/or analogous dilemmas can arise across elementary, secondary, and higher education, which is part of their point. Deep investigation into the particular can offer insights into the general. At the same time, we do not claim that these are *the* six most important dilemmas of educational ethics; frankly, we could have substituted six others that we view as of equal significance. But we do think that, individually, each case addresses one or more paradigmatic challenges of educational ethics, and that taken together, they define a number of central questions in education policy and practice.

Following each case are six short commentaries, written by a mix of philosophers, social scientists, and education policy makers and practitioners. Each commentary offers specific insights into the case at hand, and also provides a model or framework for how to think more generally about complex ethical dilemmas of education policy and practice. By combining commentaries from diverse disciplinary and professional sources, and by encouraging readers both to delve deeply into particular cases and commentaries and to reflect expansively across them, this book attempts to model a *phronetic* approach to practical ethics. We borrow the concept of *phronesis,* or practical wisdom, from Aristotle.[4] He emphasizes phronesis as embodied in a practical understanding of particular cases, not just abstract knowledge of universal principles. Diverging from Aristotle, however, we also conceptualize phronesis as a *method* for conducting ethical inquiry. Specifically, we contend that complex ethical thinking in a particular context requires a marriage of theory and practice, one that crosses disciplinary and professional lines and that iterates repeatedly among field-based, data-oriented, and values-oriented expertise.[5] The commentaries are designed to model this phronetic process of iterating among theory, re-

search, and practice in response to particular cases; they also are intended to promote phronesis itself as readers gain new understandings about the cases.

Ultimately, we hope that this book will help readers use phronetic approaches to test, generate, and learn how to seek insights into educational ethics that are rigorous, relevant, and actionable. As we discuss at greater length in chapter 7, we envision that these cases and commentaries can be used by K–12 educators, school and district leaders, policy makers, parents, and even students to guide collective inquiry about ethical policy and practice in their particular setting. They are similarly useful for professional development settings, including preservice and in-service teacher education, as the cases pose concrete dilemmas that can be read quickly, are narratively engaging, and can often provoke a shock of recognition: "I had that kid in my class last year!" The commentaries, likewise, offer both specific insights into the cases at hand and models for how to approach such dilemmas in general. Educators may hence in some instances be able to apply insights from a case and its commentaries in order to resolve ongoing challenges or tensions in their school. More frequently, the cases and commentaries can provide a means to initiate open conversations about the ethical issues at stake. More important than providing *answers* to a limited number of scenarios, they are effective means of surfacing the right kinds of *questions,* and at provoking searching, collaborative inquiry into the principles and values that guide ethical education policy and practice. In this respect, we also anticipate that the cases and commentaries will be useful in undergraduate and graduate-level courses in education, philosophy, sociology, political science, and public policy.

OUR APPROACH

In taking this stance, we first reject an approach, likely to be familiar to many, that identifies a few distinct fundamental moral theories (always utilitarianism and deontological—or rights-oriented—theory, and often virtue ethics as well) and then applies one or more of these abstract theories to a particular problem. As we have just suggested, we believe that good ethical judgment about problems of practice inevitably draws upon a multiplicity of theoretical, empirical, and pragmatic perspectives. This is a *methodological* claim about how we achieve phronetic insight.

Second, we are also skeptical that comparing and contrasting highly idealized and abstract general theories actually impacts individuals' actions. This is a *pedagogical* concern; we doubt that people's actions and

choices are likely to change over time thanks to such an exercise. We have never met a school principal, for example, who says, "Wait, let's apply deontological reasoning to this question of what we should do with a child who's throwing a screaming fit in the middle of class." More generally, there is considerable evidence across fields that people find it hard to transfer theoretical knowledge to practical problems. Harvard physics majors are the classic case: they ace the tests, but outside the classroom fall back on naive, pretheoretical intuitions about the distance of the earth from the sun when asked to explain why it's colder in winter.[6] It thus seems self-defeating to attempt to address complex educational dilemmas by reflecting solely on abstract theoretical concepts.

Third, we are skeptical that any meaningfully complex problem of ethical practice can be reliably solved by the application of a very general theory. This is an *epistemological* concern about the limits of our knowledge. Grand moral theories are necessarily abstract. They offer general or even universal rules for action. But how those rules and principles should be enacted with respect to specific problems of policy or practice will almost always be underspecified. This is a version of our point above that knowing one is committed to social justice, equality, or civil rights is not enough to know what to do in a particular complex case. Careful philosophical analyses of ethical principles and moral values might be great starting points for reflecting about an educator's, institution's, or system's obligations, but it is unlikely that in complex cases—the kind that keep educators and policy makers awake at night, and that we find ourselves returning to months or even years later, questioning whether we did the right thing—they can offer determinate ending points with clear answers about the right thing to do.

Hence, we contend that ethical judgment must join *philosophical* insight and expertise with *social scientific* insight into empirical patterns and logics, and *pragmatic* expertise developed by educators and policy makers themselves.

Social scientists can reveal how specific decision points are related to larger systems and practices. They can clarify how a particular case exemplifies or diverges from broader patterns, processes, and relationships. Empirical research may identify logics of interaction that frame the understandings and actions of all who are involved, and show how shifting those logics might open up new avenues for action or problem solving. Findings from related contexts may suggest likely consequences of various actions in particular educational settings, or help educators and policy makers see how decisions about one question (say, whether to exclude a child from the classroom) may reflect or impact decisions in other parts of the system (say,

reflect racialized patterns of discipline, or impact academic performance among students with disabilities).

At the same time, judgment about educational ethics also demands the insights of practiced educators and policy makers themselves. Their pedagogical, organizational, instructional, cultural, and leadership repertoire is crucial for making sense of the range of options for action. A nonpractitioner may see only a binary decision between two choices: Keep a disruptive student in the classroom or kick him out? Renew a school's charter or deny it? Experienced educators, administrators, and policy makers, however, often see novel options that cut through what otherwise appear to be intractable normative challenges. Furthermore, every ethical dilemma is enacted—and must be resolved—within a complex web of practices, cultures, personalities, rules, politics, and even legal requirements. Practitioners often intuitively understand these webs better than anyone else.

By combining richly described, realistic accounts of complex ethical dilemmas in education practice and policy (i.e., normative case studies) with focused commentaries by philosophers, empirical researchers, and education policy makers and practitioners, we hope to model phronetic inquiry in practice. We also hope readers can use the cases and commentaries to clarify and test their existing theories, beliefs, values, and modes of action, as well as to generate new ideas and practices as needed to further guide ethical action in context.

A ROADMAP FOR READING

We have organized the normative case studies with two guiding logics in mind. First, the setting of ethical inquiry gradually expands from classrooms and schools to districts and states. Second, the object of inquiry gradually expands from specific students and teachers to larger communities, institutions, and systems. These logics are not rigid; as many of the commentaries make clear, cases situated immediately in classroom practice turn out to raise broader policy questions, and vice versa. Furthermore, we do not assume that the chapters (each containing one case and six commentaries about the case) will necessarily be read in order. Each chapter is thus designed to be self-sufficient. On the other hand, we do think there is a great deal of value in delving into multiple cases and commentaries, and we believe our sequencing provides a useful path through the diverse array of actors, contexts, and dilemmas.

We have organized the commentaries within each chapter to approximate a conversation among highly informed, and also highly diverse, interlocutors.

Indeed, the range of perspectives among the commentaries for each case is remarkable. In some cases the different disciplinary voices raise starkly divergent concerns. In others, similar ideas are explored through different lenses and in different registers, suggesting ways in which practitioners, social scientists, and philosophers share common insights. Taken together, these voices illuminate the profound complexity of decisions made in, about, and for children and schools.

The final chapter of the book provides some summative reflections across the cases as well as resources for using the cases and commentaries to promote shared ethical inquiry in a variety of classroom and professional settings. It includes suggestions for structuring discussion groups, sample questions for discussion, and options for adapting the cases if time is short.

By offering practical, realistic cases and a set of corresponding responses for readers to consider, we believe this book has the potential to strengthen educators' and education policy makers' own capacities to apply normative principles and analytic skills in their work. At the very least, educators and policy makers who already care about the ethical dimensions of their practice will acquire some new ideas and tools to promote justice in schools and to feel reinforced in their convictions that ethical considerations really do matter. More ambitiously, we hope that these projects will help elevate educational ethics to a new level of urgency within US and international education reform movements—on a par with educational leadership, assessment, and instruction as subjects of research, policy, and reform. By providing models of and guidance in reflective analysis of educational ethics, we also hope to enable scholars, policy makers, and practitioners to act on this urgency in productive and nuanced ways. On the scholarly front in particular, we expect that this book will reveal new arenas for research in applied philosophy, political and education theory, and normatively oriented sociology. In this respect, we hope this book will be in the vanguard of a new flowering of grounded scholarship and practice in educational ethics.