

Introduction to NAFSA's Statement of Ethical Principles

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Main Topics for our Session

- Overview of NAFSA Statement of Ethical Principles
- The Role of the Subcommittee on Ethical Practice
- Discuss Ethical Decision Making
- Share Resources on Ethics

Background

- In late 2006 and early 2007, the KCCC began review of NAFSA's treatment of Ethics
- In 2006 a task force led by Board member John Pearson, Stanford University and comprising Linda Drake-Gobbo from the KCCC, SIT Bookstore, School of International Training, Ann Kuhlman, Member-At-Large, Yale University, and Bridget Canty, University of Houston (later Anita Gaines, University of Houston) as Chair of the Subcommittee on Ethical Practice, reviewed all of the material and submitted its recommendations.

Background

- In 2008 an Ethics Guidelines Task Force was formed to work to develop a fresh framework. The Ethics Task Force Members were:
Bob Ericksen, Chair, Board Member, University of California
Shalini Bhutani, KC-International Student and Scholar Services, Stanford University
Anita Gaines, Chair of SEP, University of Houston
Karen Gardenier, KC-Teaching, Learning, Scholarship, Colorado State University
Martha Johnson, KC-Education Abroad, University of Minnesota-Twin Cities
Viktar Khotsim, KC-Recruiting, Admissions, and Preparation, American Center for Education and research, Inc.
Sabine Klahr, KC-International Education Leadership, Boise State University
Consultant, Edward L. Queen, Ph.D., J.D., Emory University
NAFSA Staff: Ellen Barclay

Background

- The new Statement of Ethical Principles was developed to:
 - Align documents from the previous NAFSA structure to match the newly created Knowledge Communities
 - Facilitate a proactive approach to ethics rather than one that attempts to be an enforcement tool
- The Statement of Ethical Principles was approved by the NAFSA Board of Directors on March 28, 2009.

NAFSA's Subcommittee on Ethical Practice (SEP)

The Subcommittee on Ethical Practice (SEP) is under the Membership Committee and works to promote member education on ethical issues. The current SEP members are:

- Anita Gaines, Chair (University of Houston)
- Cristen Casey (University of Texas-Dallas)
- Jeannine Bell (University of Colorado-Boulder)
- Pauline Kwabo, NAFSA Staff
- Celena T. NuQuay, CAE, NAFSA Staff

NAFSA's Statement of Ethical Principles

The Role of Ethics in International Education

- Our contemporary world is marked by increasing globalization, greater connectedness, and ease of movement. Knowledge and awareness of other peoples, countries, cultures, and beliefs is of utmost importance.

NAFSA's Statement of Ethical Principles

As international educators we recognize that such knowledge is fundamental to the formation of educated persons and informed citizens and, increasingly, a key to professional, business, and personal success. The acquisition of this knowledge depends, to a great extent, on high-quality programs of international education and exchange.

NAFSA's Statement of Ethical Principles

International educators are dedicated to providing such programs and services with the highest level of integrity and responsibility. To accomplish this, we must attend carefully and actively to the ethical obligations that emerge from our relationships with students, scholars, our institutions, international partners, and other legitimate stakeholders.

NAFSA's Statement of Ethical Principles

As professionals, international educators share clear and defined values. We are committed to the welfare of the students and scholars in our programs. As educators, our decisions and actions should be guided by the goal of ensuring that our programs serve identifiable and legitimate educational purposes.

NAFSA's Statement of Ethical Principles

Working in a global and multicultural environment, we are committed to the internationalization of education, not merely as a set of experiences, but as a value-laden set of interactions that produces individuals who are more knowledgeable, reflective, broad-minded, and aware.

The Role and Purpose of the Statement of Ethical Principles

- We, international educators, declare our commitment to the following statement of ethical principles to: Aid international educators in negotiating competing responsibilities, demands, and interests as they strive to make ethical decisions in complex and multicultural environments
- Inspire international educators to infuse all of their work with ethical principles and practices
- Advance the development of international education as a profession and strengthen the ethical dimensions of professional outreach, research, and training

The Role and Purpose of the Statement of Ethical Principles

- Aid professionals and their institutions in decision-making in the management, support, and provision of programs and services
- Highlight the ethical obligations embedded in the relationships surrounding international education
- Broaden and deepen conversations on ethical and professional practices in international education

NAFSA's Statement of Ethical Principles

- Integrity
- Respect for the Law
- Quality
- Competence
- Diversity
- Transparency
- Access
- Responsiveness

NAFSA's Statement of Ethical Principles

Holding these principles constantly in mind, we will work to extend and improve international education in all its forms and at all levels, including advocating for programs, policies, regulations, and laws that reflect these principles. Additionally, we will work aggressively for the realization of these principles in our personal and professional conduct, throughout our institutions, and in organizations with which we affiliate.

NAFSA's Statement of Ethical Principles

Found on the NAFSA website at:
http://www.nafsa.org/about.sec/governance/leadership/ethics/standards/ethical_principles/

The screenshot shows the NAFSA website interface. The main content area is titled 'About NAFSA' and includes the following sections:

- Mission:** NAFSA is an association of individuals worldwide advancing international education and culture and global workforce development. NAFSA serves international educators and their institutions and organizations by setting standards of good practice, providing training and professional development opportunities, providing networking opportunities, and advocating for international education.
- Vision:** NAFSA is the leading association in the field of international education and exchange.
- Values:** NAFSA's members share a belief that international education advances learning and scholarship, builds understanding and respect among different peoples, and advances cooperative leadership in the global community. We believe that international education by its nature is fundamental to fostering peace, security, and well-being.
- Strategic Plan:** NAFSA's work is guided by a strategic plan, developed and refreshed annually by the board of directors. The plan articulates the association's vision, mission, and values, and guides the association in developing services, programs, and products to serve its members.

What is an Ethical Decision?

- Is the proposed decision in harmony with the letter of relevant laws, regulations, and institutional policies?
- Is it in harmony with the spirit of pertinent laws, regulations, and policies?
- Is it consistent with NAFSA's Statement of Ethical Principles?
- Is it in accord with cultural norms?

What is an Ethical Decision?

- Does it avoid duplicity?
- Is it consistent with decisions previously made in comparable cases, and/or distinguishable from previous cases in which a different decision was reached?
- Does it establish a desirable precedent?

What is an Ethical Decision?

- Does it avoid lines of thought that can easily lead off the correct path?
- Will it help in the long run?
- Would the world be a better place if this decision is taken? If more people made this decision?*

What is an Ethical Decision?

- Does it feel right? Would it bring more self-respect?*
- Considering my personal feelings toward the person or group that would be affected by my proposed decision, would I make the same decision if it affected someone I liked or disliked?
- Would I want my mother to know I made this decision?

What is an Ethical Decision?

- Could I credibly defend this decision in public?
- If I were the one affected by the proposed decision, would I consider it fair and reasonable?

*Jimmy Calano and Jeff Salzman suggest these questions in *Career Tracking* (New York: Simon & Schuster, p. 106).

"What is an Ethical Decision?" written by Gary Althen of the University of Iowa.

Kitchener's Ethical Principles* Guiding Ethical Decision Making

The following ethical principles can be used, along with other tools, to assist in working within a framework when making ethical decisions.

- *Respect Autonomy*
- *Benefit Others*
- *Do No Harm.*
- *Being Just*
- *Being faithful*

Kitchener's Ethical Principles* Guiding Ethical Decision Making

An alternative is Nel Noddings' *Ethic of Care*** which is fundamentally concerned with the relationship and experience that exist between individuals

*Kitchener, K. (1985). *Ethical principles and ethical decisions in student affairs*. H.J. Canon & R.D. Brown (Eds.) *Applied Ethics in Student Services: New Directions for Student Services*, No. 30. San Francisco: Josey-Bass.

**Noddings, N. (1984). *Caring: A Feminine Approach to Ethics and Moral Education*. Berkeley: University of California Press.

Issues Involving Ethical Dilemmas

Examples:

- Academic Honesty Concerns
- Disciplinary Concerns
- Regulatory Compliance Issues
- Social Issues
- Religious Issues

Issues Involving Ethical Dilemmas

- Insurance/Liability Issues
- Family Conflicts
- Financial Concerns
- Privacy issues (Ex. The Family Educational Rights and Privacy Act)

Examples related to professional relationships

- Responsibilities to your institution
- Responses to unprofessional actions of colleagues
- Relationships with government agencies
- Education Abroad Program Placement Decisions

Case Studies

STUDENT HEALTH PROBLEM ABROAD

Scenario

Ignoring a long history of respiratory problems often triggered by alcohol, a twenty-two year-old study abroad participant in Mexico drinks to excess and experiences a severe attack. When the student's breathing stops, the program leader is able to resuscitate him. After several similar incidents disrupt program activities, other participants urge the leader to send their friend home. The leader, who believes that his CPR skills enable him to handle the situation satisfactorily, refuses to send the student home, asserting that he will not act in loco parentis.

Question

Did the leader respond ethically?

Case Studies

FACULTY ROLES AND RESPONSIBILITIES ABROAD

Scenario

Upon arriving home from a study abroad trip to Greece, several students drop by the Study Abroad Office to report on their adventure. After visiting with the students and reviewing their written evaluations, the director notes repeated references to intoxication and other unprofessional behavior on the part of the professor assigned to lead the group. One report states that the professor was not available to the students during a four-day period in which he attended a professional conference. In a discussion between the director and the faculty member, the latter acknowledges the veracity of the allegations and promises to mend his ways. When the professor recommends offering the same program for the following year, the director (in consultation with the dean) denies the request.

Question

Was the director's action unethical?

Case Studies

ADMITTING STUDENTS WITHOUT ENGLISH PROFICIENCY

Scenario

The intensive English program (IEP) on the campus of a four-year college works in tandem with the Biology Department to develop a six-week non-credit international project for students with low intermediate levels of English proficiency. The project calls for three hours of English each morning, followed by an afternoon of non-credit course work with biology faculty. At the conclusion of the program, as a courtesy to the sponsor and the Biology Department, the IEP administers a pencil-based TOEFL; students score in the 440 – 470 range.

The group sponsor expresses a desire to enroll three of the students, who meet academic standards, the academic department head requests that the college's language requirement (525 pencil-based TOEFL) be waived.

Question

Is this an ethical course of action?

Case Studies

REQUESTS FOR REFERENCES

Scenario

A NAFSA Regional leader receives a call and email from another IE professional who is doing a reference check on an applicant for a position at their school. The reason the NAFSA leader was called was at the request of the chair of the other person's region, who suggested that the university check on the applicants activities in the region to help make a job offer decision

Question: Should the NAFSA leader provide any information at all about this person? Is it ethical to ask for a reference from someone who is not listed on your application as a possible reference? Should we ever give references for co-workers, employees, or students?

Question

Is this an ethical course of action?

Case Studies

SWITCHING FROM J-1 TO F-1

Scenario

A young man is selected to receive a U.S. government-funded scholarship administered by a reputable programming agency and is admitted to an American university as a graduate exchange student. Copies of the award letter sent to graduate admissions, the international student office, and the student's academic advisor clearly state that the student must return to his home country immediately upon completion of the approved training objective. The letter further states that two consecutive degrees are not authorized, and that the U.S. government will not release sponsorship of the J-1 visa.

Following completion of a graduate degree, the department chair offers the student an assistantship for the duration of a doctoral program. The director of the international student office reminds the student of his contractual obligation to return home, at the same time informing him that the university will accept him under the F-1 classification. He further explains that the student will have to apply for the F-1 visa at a U.S. Consulate abroad, where the consular official will determine whether to defer the two-year residency requirement and either issue or deny the F-1 visa.

Question

Is it appropriate for the director, as the designated school official, to authorize the issuance of an I-20 under these circumstances?

Case Studies

PROBLEMS EXPERIENCED BY FOREIGN EXCHANGE STUDENTS

Scenario

A young Asian woman, Amy, enrolled in a university-affiliated intensive English program (IEP) confides to one of her teachers that the "homestay father" of a friend, Sharon, has made unwanted sexual advances toward her. Amy had been visiting her friend, Sharon, a student at a college in a neighboring city, when the incident occurred. The teacher, upon hearing the details of the event, shares the information with the IEP director, who quickly requests that the faculty member encourage Amy herself to inform the director. Once informed personally by Amy, the director confirms the facts, encourages her to avoid the man in the future, and praises her for having come forward with her story. With Amy's full knowledge and agreement, the director subsequently reports the information, including the man's name, to the neighboring foreign student advisor (FSA), who is responsible for the homestay program in question. The FSA assures the IEP director that s/he will discuss the situation with the "homestay father" and take appropriate action.

Question

Did all parties act appropriately?

Case Studies

REQUEST FOR INFORMATION

Scenario

When three sexual assaults occur on the college campus in a period of one year, local police offer assistance in apprehending the assailant. Since each of the victims has reported that her attacker spoke with a foreign accent and since two female international students have told police that they have been followed by a man whom they believe to be Turkish, the police make a written request for information about all male Turkish students on campus. Specifically, they ask for the visa classification, grade point average, and class schedule for each. Wanting to assist the police in their efforts and to reestablish a safe environment on campus, the foreign student advisor complies with the request.

Question

Has the FSA acted appropriately in this instance?

What if the request for information comes in the form of a phone call from USCIS?

Case Studies

SEVIS

Scenario

In an attempt to follow all the requirements for SEVIS, the FSA/DSO at a small Midwestern school puts in all information on students requested by SEVIS, including the Social Security number, driver's license and Individual Taxpayer identification numbers, all of which are optional items in SEVIS and not required by the regulations. Some of these students had an official request on file with the university that directory information not be released.

Question

Even if the including this information is not a violation of FERP, has the FSA acted unethically in providing U.S. ICE with this optional information?

Case Studies

FAVORTISM

Scenario

An international admissions officer for a well-known and highly competitive university regularly visits Asia. During these recruitment trips, he stays in the homes of friends he has made over the years and visits the prestigious local schools to promote his institution. Although students are informed that admission to the institution is very selective, they note that the children of the officer's friends are given admission even though their school records are weaker and their test scores lower than those of many who are denied admission.

Question

Are the actions of the admissions officer ethical?

Resources to Guide You in Making Ethical Decisions

- Office of the General Counsel
- Campus Attorney
- Student Conduct Handbooks
- Ombudsman/Student Judicial Board
- Immigration Attorneys
- Cultural Informants - Local Residents and Social Service Agencies
- NAFSA Staff Liaison to Subcommittee on Ethical Practice
- Subcommittee on Ethical Practice
- NAFSA Members
- Mental Health Professionals
- Clergy
- Local Law Enforcement Agencies
- EEO/Affirmative Action
- Risk Management Personnel
- Other Professional Organizations

Q&A

Thank you for participating in our session!

Please complete the session evaluation.