Times of Change, Times of Turbulence: Seeking an Ethical Framework for Curriculum Development During Critical Transition in Higher Education

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ABSTRACT

Rapid changes in academic work environments raise ethical dilemmas in supporting students, implementing policies, and developing professional practice. New teaching technologies require academics to consider community aspects of learning and teaching and impacts on student learning in networked environments. This paper critically reflects on recent experience at a small Australian regional university adapting teaching, notably through on-line environments, to respond to student learning need diversity. Applying Shapiro’s use of the ethics of care, critique, justice and the profession to examine ethical dilemmas associated with increasingly networked and on-line learning, the authors propose that an ethics of community will assist finding practical solutions to ethical dilemmas in curriculum development and delivery. This approach shifts from the individual as moral agent to ethical practice as communal processes. Considering community practices and processes can frame and critique learning and teaching approaches, policies and administration to assist students and staff develop ethical scholarship and professionalism.

Keywords: Academic Integrity, Ethical Critique, Ethical Dilemmas, Ethical Scholarship, Higher Education

INTRODUCTION

“The increased use of virtual learning environments (...) in Higher Education is inextricably associated with the pressures of globalization. The pressures of international competition, supported by the widespread availability of online courses in which the traditional physical face-to-face contact between lecturers and students is not the predominant learning mode creates a dilemma for administrators. The distancing effect (...) creates an ethical problem in that the financial needs of corporations and institutions can be valorized at the expense of humanistic concerns such as interpersonal relationships and the contribution (...) to a harmonious society” (Russell, 2008, p. 29).

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This paper applies Shapiro’s (2006) model of four ethics and the use of ethical dilemmas, to provide practical responses to the ethical demands of developing curriculum for university education at a time of growing networked delivery. University networked learning is frequently supported by flexible learning policies that reflect student focused-learner centred learning goals (Biggs, 2003). The question we are interested in is how to encourage best practice in design and delivery of good quality curriculum using networked learning environments. This can be addressed in many ways; here we are especially interested in an ethical framework to support this goal. To examine this question, we will use recent developments at our university-Southern Cross University- as a case study. In particular, this paper is contextualized in a period of significant academic culture change: a shift from face-to-face to online and blended learning approaches and a blurring of off-campus and on-campus student participation. We draw on issues concerning institution-wide approaches to support networked learning (such as flexible learning, and use of Turnitin®), and increased use of online communication, collaboration and content creation (Web 2.0) tools. We also acknowledge the increasing academic interest in ethical curriculum and education (Boyd et al., 2008), although note that most curriculum development discussion takes a pragmatic rather than ethical approach. Academics rarely give this tension much consideration, being consumed by the pragmatics of course design, technology mastery, administration and pedagogical delivery. Furthermore, it seems that universities adopt hybrids of principle and the pragmatism of consequence - the balancing of entry standards, for example, reflecting the need to maintain academic standards while insuring against income loss due to under-enrollment-, often tempered by organizational need rather than the greater good.

As academics, we are involved in redesigning face-to-face courses at a young, small, regional university. Adopting online delivery has largely comprised adapting hard copy content to digital and attempting to reproduce face-to-face pedagogy to external delivery rather than adopting explicit online pedagogy. Educational literature tells us this is inadequate, and we now seek new ways to tackle the redesign. In reviewing one course, for example, one of us (WB) discovered a mismatch between the curriculum aim and assessment principles, the effect of historical pedagogical creep, and
the effect of *ad hoc* approach to early attempts at unguided online re-design. Considering practicalities, ethical issues become increasingly apparent, especially regarding equity of access and the embedding of ethical practice in student learning (Boyd *et al*., 2008). The practicalities of online conversion, for example, can take over the time of the teacher, and mislead that person into thinking that all the practical activity of revision is the most important activity, all the while ignoring larger ethical concerns (C. Huff, personal communication, 2010).

So, how to engage both course development pragmatics and ethics at this time of change? How to make the mind-shift from required for the modern university to become an effective network educator? To find a way, we will ask a range of questions about teaching and learning in the modern emerging networked university, a series of questions that are inter-related and reflect the complex nature of the modern university. At this stage, we do not set out to answer these questions specifically, but rather offer a frame to address them differently from previous attempts in the teaching and learning literature. The emphasis is that there are many questions to be asked, that they are complex and inter-related, and therefore cannot be answered in simple process way as is often the experience of universities. They offer a particular dynamic that makes them difficult to deal with practically, and we believe this approach promises some systematic consideration of the issues.

**METHODS**

**Data Collection: Reflection and Participant Observation**

This paper represents an ethical dilemma that one of us (WB) has experienced as he moves from being an academic who was taught primarily as a face-to-face student and has taught in his profession as a face-to-face educator to working in an institution that is moving increasingly to an online networked teaching and learning environment. One methodological way to tackle this dilemma, is to engage the issue within a critical reflective mode, adopting a peer-review approach that marries the practical application of experiential learning and reflective observation (Fry, Ketteridge, & Marshall, 2003), with the strengths of reflection-in-action and reflection-on-action (Schön, 1983). The conversation we provide here is between this academic and a teaching and learning academic (DN) whose expertise has focused primarily on online higher education. The core data collection method we have adopted is that of reflective practice based on participant observation (Neuman, 2009, 2007; Robson, 2002; Wengraf, 2001; Kearns, 2000).

Jackson (2003, p. 223) usefully defines reflective practice (reflexivity) as “the critical thinking required to examine the interaction occurring between the researcher and the data during analysis ... (in order to) be reflective so that she can uncover and provide a full account of her deep-seated views, thinking, and conduct”. Shapiro (2006) encourages educational administrators to engage in critical reflection in addition to practice and theory to provide the “value-added component” (p. 1). In practice, both authors drew on many years experience, some of which has already been documented in reports and/or published accounts, through a self-interview process, in which we interviewed each other in an unstructured discussion, recording the conversation in notes that provided the frame for our later writings. This form of writing-as-discovery echoes the adoption of biographical narrative in the social sciences as a form of critical engagement with academic processes (Geertz, 2000; Chamberlayne, Bornat, & Wengraf, 2000; Richardson, 1997; Weiland, 1995; Lincoln, 1990; Bulmer, 1984; Weintraub, 1978).

In this context one of us (WB) draws on his experience as an engaged scholar: three decades as a university teacher and researcher; a decade on his institution’s academic governance executive; his roles as student ombud, Associate Dean (Teaching & Learning), his school’s Director of Teaching & Learning, the university’s Academic Integrity Officer, and Chair of the University’s ethics committees.
The other author (DN) represents a different higher education history: twenty-five years in the higher education sector working with academics as a librarian, researcher, teacher, educational designer, staff developer with a research interest in the influence of organizational culture on the design and delivery of online learning.

**Interpretation and Analysis: The Four Ethics Frame**

There are many frames in which to review and critique educational practice (e.g. Biggs, 2003; Toohey, 1999). Here we consider Shapiro’s ideas of four ethics (Shapiro, 2006; Shapiro & Stefkovich, 2001). Shapiro discusses the merging of teaching practice with the theories of the ethics of care, critique, justice and the profession, defined as focusing on: rights and law (justice); critique of laws and legal process (critique); social responsibility (care); and practical professional decision-making (profession). Shapiro engaged with Gross’ (1998) “Turbulence Gauge”, a device for organizations to provide contextualization for given multiple ethical problems as strategies were constructed as solutions “to move to less troubled waters” (p. 5). We find Shapiro’s ideas of four ethics appealing, and therefore here we explore these in our practical context. We do note Thomson’s (C. Thomson, personal communication, 2010) warning that “ethics needs care in treatment lest authors and readers assume that they know what it means, (and) ... is a distinct set of intellectual and normative ideas (that) should not be left to assumptions or colloquialisms”. Thomson continues that “because of its increasing reference as an apparent touchstone or benchmark, it is too easy to assume that all have a common understanding and this is to be avoided”. It is for this reason that we find Shapiro’s conceptions of the four ethics appealing, a reason we believe that explains why researchers such as Faircloth (2004), in particular, drew on these ideas to demonstrate the value of their applied ethical approach. The four ethics—the ethics of justice, care, critique and the profession—can be adopted as a “variety of lenses through which (...) education policies may be viewed” (Shapiro & Stefkovich, 2001, p. 30). Shapiro’s (2006) case study demonstrates the use of multiple ethical paradigms to examine ethical dilemmas, moderated in terms of Gross’s (1998) turbulence theory.

“The merging of theory with practice is quite a balancing act. The use of ethical dilemmas is one way to accomplish that balance. (...) by using authentic teaching materials combined with paradigms and concepts, theory and practice can be beneficial and help to remove educational administration programs from the charge of being Ivory Towers. It should also assist in making them into learning communities that are relevant, critical and thought-provoking (and) (...) should foster moral decision making, and (...) help to develop authentic and inspiring educational leaders for the future” (Shapiro, 2006, p. 7).

**RESULTS**

**Examples of Ethical Dilemmas in Higher Education**

Our experience provides many practical examples of ethical dilemmas that illustrate the potential tension between Shapiro’s four ethics. We gather these loosely under three broad headings to set the scene of a complex environment. This leads into a more detailed consideration of the ethical dilemmas in a particular case that touches on many of these inter-related aspects of the modern university, that is text comparison software for academic misconduct detection.

**Administration and Management**

Universities are increasingly managed; academics lament overloaded managerial responsibilities. Governments demand quality management, control, reporting, and public accountability; the university is shifting as a self-governing college of knowledge for its own sake to the university as a site of production. Ethical dilemmas arising
from this increasing managerialism and commercialism include: balance of student access equity and equality; responsibilities of scholars; and tensions between meeting corporate or government versus scholarly or academic expectations. Likewise, with regard to the increasingly commercial nature of higher education, Longstaff (2001) notes ethical challenges: can a university deny the market what it demands? Are university standards compromised by the market? How does the university provide “value for money”? Here we see the interplay of, and challenges to, the ethics of, especially, justice, care and the profession.

Teaching and Learning

Universities are experiencing key teaching and learning trends, notably including those from internal to external delivery, singular to diverse to converged delivery, managed to flexible curriculum, and adoption and mastery of information technology (IT) in curriculum delivery. Ethical dilemmas include: establishing and maintaining social presence in networked courses; equality in access to curriculum, educators responding to why students study online, student connections between emotion and learning, and how students perceive communication with teaching staff; the shifting demands on pedagogical technology use; shifting student expectations regarding rapidity of communication, consultation and feedback; teacher-learner generational differences; technology access equity; the potential for IT to enhance or constrain flexibility of student access and learning; information access versus information overload. Central to these dilemmas are concerns of justice and care, while the practicalities of curriculum delivery under such conditions make demands on the ethics of the profession. Where scholarly debate on curriculum development is allowed to flourish, an ethic of critique can emerge.

Principle and Policy

Two key areas of principle are core to contemporary challenges to the university, the balance between equity and equality of educational access, and the authority of knowledge and the adherence to standards. Delivering curriculum to students across diverse communities, socio-economic groups and countries highlights difficulties in ensuring access equity. Ethical dilemmas include the equitable management of social norms, such as disability support, accommodation of individual learning styles, expectations regarding student engagement in discussions. Academic processes tend to focus on equality rather than equity. The shift from university self-governance to public-influence brings a public gaze and external imposition of standards. Does, ask Bialaszwewski and Bialaszwewski (2005), for example, a zero tolerance approach-a popular social process-make any sense in education; possibly not, suggest McCray and Beachum (2006). How do scholars balance institutional timetables with variable rates of student learning? How to balance student autonomy with structured teaching? How do we manage the shift from teacher to learner focus (Biggs, 2003)? Such ethical issues-issues of justice, care and the professions, especially-challenge teacher authority.

DISCUSSION

Academic Integrity as a Catalyst for Ethical Critique

One matter in particular brings these matters to a head, and thus provides a discussion of ethical dilemmas that may assist our journey: the management of academic integrity. At our university, academic integrity is defined as follows (Southern Cross University, 2005, p. 5):

“The application of the belief that honesty is at the core of exemplary scholarship. It is embodied in the scrupulous acknowledgment of the work of others in research, academic activities, in other creative endeavors and in the production and reproduction of knowledge. It concerns adherence to the relevant legislation, and to the rules, policies, regulations, procedures,
guidelines, codes of practice and accepted ethical practice of the University, academic disciplines and professional practice."

The premises that underlie this statement are that: (1) students need to be educated in ethical values and academic integrity; (2) curriculum and assessment design should make academic misconduct difficult; (3) allegations of misconduct are treated fairly and confidentially; and (4) consistent processes should be applied across the University. The central issue is that the University moves away from a predominantly (and conventional) policing and punitive approach to student academic misconduct to an educative approach. Such an educative approach focuses on educating students about ethical and academic behavior, facilitative curriculum design that limits opportunity for academic misconduct. With regards to the identification of misconduct and subsequent action, the focus is on fairness and openness (e.g. the shift from a lecturer judging the student to reporting an allegation), facilitative and predictable responses to proven claims of misconduct. In essence, this is a policy response that articulated the ethics of justice, care, critique and the profession. It provides the basis to educate students to be professional graduates. Despite the important training and educative role, universities nevertheless often prioritize policing of academic fraud, commonly shorthanded as plagiarism. In the practical implementation of our University’s policy, and despite its foundation in principles of justice, care, critique and the profession, we find that an analysis of these ethics still reveals many dilemmas.

Practical Implementation of Policy: Spotting the Cracks in the System

Ethical dilemmas become most apparent where policy or theory is put into practice. In the case we are considering here, such dilemmas were articulated during the process of adopting and embedding the use of text comparison or analysis software (often shorthanded to “plagiarism detection” software). As part of the institutional response to this policy, and after consideration of several options, our university has selected Turnitin® as its preferred software. In the University’s recent trial of Turnitin®, principles were developed that underpinned the protocols for use; these are common with the practice and principles used at many other Australian universities (Newton, 2009).

- Turnitin® should be used in an educative context to develop students’ academic integrity and scholarship;
- Turnitin® is one of many tools used to help identify plagiarism; determination of deliberate plagiarism ultimately requires academic judgment and adjudication of proper citation, paraphrasing and referencing.

In the trial, a significant student concern was that the assumption was being made by the academics that they would intentionally plagiarize and that Turnitin® was being used to catch them out. There were concerns that the text matching process used by Turnitin® could mean that they would be incorrectly accused of plagiarism. Students were, therefore, looking for reassurance from the academics that they would not be penalized unfairly for using Turnitin®. Alternatively, academics found that Turnitin® proved to be a useful additional tool for the already established approaches they used to check for possibly plagiarized text.

The most useful aspect perceived for using Turnitin® for both students and academics was its educative capability, especially the ability for students to submit drafts of their assignments and review them before final submission. Academics found that the students who took advantage of this tool benefited from being able to discuss any issues with their lecturer (Davis, 2008). Some of the academics took a proactive approach and set time aside to discuss the drafts with students and discuss issues relating to academic integrity, including copyright and intellectual property issues.

Despite these positive outcomes, there remains many questions that may be addressed
both in practical and, importantly, ethical ways; they remain to be resolved. In the meantime, it is of value to identify them here, and commence the ethical debate by identifying critical ethical tensions.

The dominant tension appears to be between the ethics of justice and the ethics of care: the need for equity often pitted (at least apparently) against the duty of care the university has towards its students. This manifests itself in many overlapping questions. How do students balance individual work and study while taking responsibility for roles in collaborative work, particularly with increasing use of online collaborative learning technologies? How do students (and academics) learn new skills in a networked learning environment that may lead to unintentional plagiarism (e.g., developing shared content in a wiki) (Salmon, 2008)? What balance can be struck between academic integrity training and education, and policing, detection and punishment (Townley & Parsell, 2004)? What is the role for curriculum design in developing academic integrity skills, and how might that role compromise other curriculum design aims? If assessment is designed to prevent plagiarism, are learning objectives potentially compromised? How can we balance principles of assessment as facilitative, formative or summative tools? What responsibilities do academics have to educate students in suspected cases of plagiarism? Are there cultural differences in practices and perceptions of academic integrity that need to be considered in cross-cultural teaching situations (Granitz & Loewy, 2007)? What are the academics’ and students’ intellectual property issues in relation to academic integrity?

Secondly, we identify a suite of questions that reflect potential tensions between the ethics of justice, care and the profession. How do the pressures of academic honesty compare with pressures to pass (e.g., Naimi, 2007)? Can assessment—the point where academic integrity is measured—be balanced as an educational tool rather than commodity? Do the institutional processes for managing text comparison software overwhelm principles of care and justice? How do they compromise fundamental intellectual principles (Jenson & de Castell, 2004)? Can such software be used as an educative rather than policing/punitive tool? What are the “Big Brother” surveillance issues? Who is responsible? Do they compromise academic freedom principles? What is professional behavior, and how does it apply to student learning?

Finally, there are some core matters that reflect an essential tension between ethics of justice and the profession. Why is plagiarism privileged over other forms of academic misconduct? Should pedagogic approaches to academic integrity be developed across the curriculum and adopted as an institutional policy? If pedagogical approaches to academic integrity are developed across the curriculum, should, indeed, “plagiarism” software be implemented (Jenson & de Castell, 2004)? Is there risk of reliance on software and a potential abrogation of professional responsibility (Castner et al., 2006)?

Communal Commitment
to Ethical Practice

While we do not yet have answers to all these questions—indeed, as indicated above, we did not set out answer these questions but rather provide a frame to address them differently from previous attempts—it is clear from our University’s trial that prior to institution-wide implementation, there will need to be change regarding, for example, legal aspects, the Academic Integrity policy, student enrolment processes, and protocols for student acknowledgement of the storage of their papers on the Turnitin® database. Whether such legal policies and procedures solve the ethical dilemmas is a moot point; there is certainly need for legally correct process. However, if we adopt an ethical approach to a critique of these issues, and pay

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heed to the tensions we have identified here, there is a strong suggestion for the need for committed personal and communal adoption of pedagogical and management practices that reflect ethical principles of justice, care and the profession, and that derive from a genuine critique of the tensions between these.

We suggest, therefore, that analysis of such dilemmas will provide ethical guidance to scholars and managers seeking practical solutions to curriculum design for contemporary network learning conditions. While our views were initially sympathetic to a notion that, while institutional change can be enacted at system, process and practice levels but best tackled at the practice level, we find appeal in Furman’s (2003) extension of Shapiro’s idea: we close with this brief comment.

Furman (2003) converged the four ethics into an ethics of community, suggesting that process and practice issues be considered at the system rather individual level. To promote fundamental change in education, Furman claims that it is “more important to focus on the processes of community than community as a final product (…) and (…) to inspire commitment to these processes than commitment to (…) community as an end product” (p. 4). All participants, he suggests, must feel “morally responsible to engage in communal processes” (Furman, 2003, p. 4); the shift is from the individual as moral agent to ethical practice as communal process. The implication is profound, and is reflected in management literature elsewhere (Bolman & Deal, 2003): the institution needs to work as a community, guided by communal ethical principles and caring, just and critical professional thinking. Of course, such a development questions the process of cultural change in the university: who would be the participants, and how would they be engaged? Our sense is that this would only work through broad inclusion rather than narrow definition of participants, but even that statement challenges who “the university” is. Once such a change towards a more communal is achieved, however, we suggest that practical solutions to the ethical dilemmas summarized above may be easier to find. Until this is in place, however, we continue our personal journeys.

CONCLUSION

Delivering education in universities is inherently problematic, especially at times of change. Based on our experiences of the higher education system in Australia over the last quarter of a decade, and considered in the light of significant shifts in the social, political, governance and technical influences, opportunities and constraints of the last decade or so, we identify significant tensions within the system. These arise from the competing interests of, for example, educational versus commercial needs, or academic responsibilities versus organizational managerialism. In particular, the shifting locus of authority, between academic, administrator and student, highlights these changes, and brings to bear useful consideration of these tensions not so much as operational issues (alone) but more fundamentally as ethical issues. Consideration of different forms of ethical principles assists in transcending conventional arguments of what is right/wrong, correct/incorrect, etc., and allows for a more nuanced examination of the tensions.

One particular socio-technological trend highlights the potential impact of competing interests and shifting loci, that is the growing use of digital technology and on-line teaching and learning environments. We have focused, to illustrate this, on one highly charged field within this socio-technological trend- the management of student academic integrity through policy and practices embedded in conventional academic culture but mediated through emerging software and on-line environments. The changes here both challenge and bring into focus traditional values, and hence ethical considerations. We suggest that conventional discussions at universities regarding the implementation and harnessing of new digital tools and online environments- such as text comparison software, often short-handed as “plagiarism software”, itself a telling ethical statement- have been
limited to bi-polar decisions: what is right/wrong? What is acceptable/unacceptable? Etc.

By thinking in terms of the ethics of care, critique, justice and the profession, however, we now have an opportunity to understand the implementation of software- and on-line-based student academic integrity management in more complex and nuanced ways, and we reduce the risk of making naive- if possibly politically-acceptable- decisions. The four ethics bring competing perspectives to bear, thus validating competing views, in our discussions. More importantly, we may provide solutions that more readily serve the purposes of the proposed approach, simultaneously engendering scholarly and professional standards and practices, while respecting issues of academic freedom, authority and responsibility (for both academic staff and students) alongside personal regard. With this frame in place, it will now be possible to move towards detailed critique of specific cases; this is the authors’ next step.

Finally, we suggest that by drawing on this more constructivist approach, there is an enhanced possibility of decisions being able to be made with regard to a truly ethical application of, for example, text-comparison software, by an engaged community who will, by its own definition, be guided by communally-agreed ethical principles and by caring, just and critical professional thinking. The transitions from siloed to networked teaching and learning environments, from real to virtual education, and from tangible to digital resources, will be served better than at present.

REFERENCES


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