If a teacher instructs with greater attention to improving students’ performance in order to protect her employment rather than solely to advance knowledge or character, is she acting immorally? This question has historical roots in Socrates’s famed animosity toward the sophists. Socrates maintained that sophistic teaching was immoral because the teacher’s self-interest was at the center of the relationship rather than fostering arete. Socrates differentiated his work from teaching per se. Nevertheless, both Socrates and the sophists are examples of the historically precarious position of educators.\(^1\) In the classic Greek story, these pedagogues were at the mercy of sociopolitical forces outside of their control and the societal view of their work was subject to the vicissitudes of Athenian state interests, ideology, and politics. Those charged with fostering children’s cultural, social, and intellectual literacy, as Socrates and the sophists were, often find themselves in the middle of conflicting social and economic factors. In the question of what it means for educators to act morally in this milieu, classical liberalism and ethics premised on impartial, objective, and decontextualized ideal theory have been the primary lens. As a consequence, it is an open question whether these frameworks can take into account the multifarious directions in which society pulls educators today.

This paper addresses one prevailing rendering of the moral basis of teaching. In the Moral Work of Teaching (MWT) framework, Osguthorpe and Sanger draw upon the liberal democratic ethic, virtue ethics, and psychological theories to argue for the inherent morality of teaching in K–12 settings. On their view, such an inquiry can fall into the dichotomous categories of teaching morally and teaching morality. While the two domains are related, it is the former that proposes grounds for viewing teaching as a moral act. Based on one co-author’s experiences,\(^2\) this paper discusses an iteration of the New York City small schools movement reform over the last decade as a clear example of the constraints that accountability policies exert on teaching morally; indeed these limiting factors are so pervasive as to warrant rethinking what it means to be a moral teacher.


According to the MWT, to teach morally is “to teach in a manner that accords with notions of what is good or right, that is, to conduct oneself in a way that has moral value.”\(^3\) The sources of this moral value stem from philosophical claims “regarding the nature and purpose of teaching and schooling” and supporting “empirical claims” to this effect.\(^4\) On this view, democracy entails public school purposes that are inherently moral because of being concerned with the daily custodial care of children. Several attendant obligations ensue, for example, overseeing “children’s physical well-being and development” in addition to their “social, emotional, moral, and cognitive growth.”\(^5\) These aspects constitute the moral dimension of teaching as a praiseworthy occupation.\(^6\) As Soder maintains, the presumed innocence of children and interdependence of the relationship among the teacher, parent, and child imply moral imperatives of teacher responsibility and other moral duties, especially because historically children have been viewed as defenseless in Western culture. Further, as Soder states, “The surrendering of children to the state’s compulsory schools thus represents a considerable act of trust. . . . Those responsible for the physical and mental health of children and schools have a moral obligation to ensure that children are kept from harm.”\(^7\)

So grounding the morality of teaching in classically liberal beliefs about children’s moral status and the obligations of those who care for them involves distinct presuppositions. One is that the teaching profession demands a level of selflessness such that the practitioner’s decision-making should transcend personal interest where it conflicts with her charges’ interests. Another is that principles normatively animate teaching as a regular act. Lastly is the view that the proximal relationship of teacher and student implies an ethic of care.\(^8\) It is to all three of these presuppositions that accountability poses


\(^4\) Gary Fenstermacher and Virginia Richardson, "What’s Wrong with Accountability?" *Teachers College Record* (May 26, 2010): 2-4.


a challenge in terms of complex interrelated variables that structure American education as a democratic institution. The substantial educational literature on accountability delineates well the various forms of implementation, documents empirical studies of impacts, and even considers the broadly philosophical and ethical issues it raises. To delve deeply into accountability theory and background is beyond the scope of this paper. Modestly, we aim to foreground the complexity of the teacher’s ethical position in the current public schools accountability regime as suggestive of limits to the MWT model of teaching morally. It is hoped that we might also shed light on an unintended consequence of accountability that is not sufficiently prominent in public discourse on the issue.

**Moral Hazards and Classically Liberal Properties of Teaching**

Accountability, as it unfolded in No Child Left Behind (2002) reforms, was linked to the policy’s theory of action, which was that of closing the achievement gap between white students of privilege and minority and poor students. Based in Title One of NCLB, the federal government policy initiatives prioritized the academic performance of these students and dictated punitive measures when schools failed to meet their declared benchmarks. Further, the federal government mandated that “state-level accountability systems” include requirements such as regularly measuring student achievement and to “adhere to a schedule of progressively severe sanctions and intervention.” If a school did not achieve their stated goals, the states “must make provisions for a student who chooses to move to a higher achieving school if his or her school is deemed low performing for an extended period of time.”

In making teachers answerable for student achievement, NCLB-style accountability imposes the corporate economic model on public schools. As Sockett maintains, accountability so conceived refers to the “agent’s responsibility to a provider, the provider being the beneficiary, and measured

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by the results produced through the agent’s skill in handling resources.” 13
These forms of accountability reduce the multiple and dynamic aspects of the
teacher’s labor to the ends dictated by a taciturn public. Referring to the rise of
the United Kingdom’s own “culture of accountability” that aggressively
monitors school curriculum and student test performance, Biesta describes
accountability as a “technical-managerial approach” infused by market logic.14
It “redefines all significant relationships in economic terms.”15 Such systems
are at odds with the exercise of moral agency because maximizing outcomes is
the primary goal. In combination with the disposition toward self-protection
that accountability “induces” as part of a “natural desire to preserve oneself
from criticism and penalty,”16 imposing market logic on classrooms is morally
hazardous. In this sense, the threat of sanctions can nudge teachers towards a
willingness to make calculations that sacrifice some students’ well being in
order to increase the overall utility of instructional time.

The notion of moral hazards, beholden to a business and finance
context, is a calculus of the threats to an agent’s moral decision-making that a
course of action poses. It refers to an agent’s proclivity to increase risk-taking
when others are more likely to bear the direct costs of the agent’s actions
should the risk fail.17 Moral hazards arise in conditions when the agent is an
intermediary who nevertheless directly bears the responsibility for achieving or
not achieving desired outcomes.18

In school settings teachers are mediators at the nexus of accountability
vectors bi-directionally moving between administrators, students, and the larger
public. Forced to increase overall student performance on standardized tests,
the teacher can choose to optimize school scores to the detriment of individual
students. One case of such an accountability regime in education is illustrative
of the challenges it poses to teaching morally. New York City schools’

13 Hugh Sockett, “Accountability, Trust, and Ethical Codes of Practice,” in The Moral
Dimensions of Teaching, ed. Roger Soder, John Goodlad, and Kenneth A. Sirotnik (San
Francisco: Jossey Bass, 1990), 228.
14 Gert J. J. Biesta, “Education, Accountability, and the Ethical Demand: Can the
Democratic Potential of Accountability Be Regained?” Educational Theory 54, no. 3
15 Ibid.
16 Nel Noddings, Education and Democracy in the 21st Century (New York: Teachers
18 Rosalind Levačič, “Teacher Incentives and Performance: An Application of
example of an exploration of economic model algorithms and their application to NCLB
accountability measures is Hugh Macartney, “The Dynamic Effects of Educational
(December 2013), http://dx.doi.org/10.2139/ssrn.2014965.
implementation of an accountability regime serves as an exemplar of the moral hazards of such a policy.

**The New York City Example**

New York City enacted legislation that was a precursor of NCLB style accountability. As President George Bush was announcing that NCLB had become law in 2002, Michael Bloomberg, the mayor of New York City, assumed control of the New York City Department of Education. Since 2007, the New York City Department of Education rated and ranked schools using comparative and normative measures that served as the basis for progress report grades, or “report cards,” for all high schools citywide. Hypothetically, a school had to earn at least a B on the next progress report to keep itself out of danger of being phased out.

**Accountability Criteria and Their Application**

During the evaluation process, or the “Quality Review,” New York state and city education officials visited the school over one or two days, and parents, teachers, and students also completed a school environment survey that, in conjunction with the Quality Review, counted as 15% of the final grade. Fifty-five percent of the grade came from the extent of student credit accumulation in major content areas while in the first three years of high school. Students were required to earn ten or more semester credits in core academic areas for this measure. Student performance comprised the final 20%. This measure included four- and six-year graduation rates, nine Regents exam subject area scores, PSAT scores, SAT and ACT outcomes, college readiness based on scores upon graduation, and college enrollment rates at six months and eighteen months post graduation. In addition, each student within the school was assigned a value based on his or her ethnic and gender demographic, eighth grade test scores, and whether they were within the lowest third of all students city-wide. For all stakeholders, the overarching goal was to perform well on all of the indicators and to help keep the school open.

In the specific case of New York City’s high-stakes environment, student variables (e.g. demographics, standardized test score, college matriculation) became a school report card issue in order to improve the annual

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22 Ibid., 21.
progress report. For example, the most productive way to influence performance would be to focus on report card areas that would have the greatest impact on the final grade and those areas that the teacher could influence the most—increasing both the four-year and six-year graduation rates and increasing the number of students earning ten or more credits during the academic year, while earning as many extra points as possible for closing the achievement gap. Since it would make sense for seniors to be counted in a separate metric from the rest of the student population because they would count more, for the sake of self-interest, the teacher would logically direct the greatest attention to students based on their individual decile rank and their disposition—in other words, the students for which it seemed most feasible to “pull it off.” Using this lens, any students with potential for limited or no returns would be considered to be lost causes and resources would not be invested towards improving their individual performance. Conversely, the students worth more points in the Quality Review algorithm would be targeted for increased attention. For example, consider Student A, a special education student who was receiving free lunch, was either Black or Hispanic, was classified as an ELL student, and also had an obedient, malleable disposition, doing what his teachers instructed without protest. Student A would be worth many more points than Student B, a student with none of those classifications. In other words, Student A’s demographic profile would make him a worthwhile cause in which to invest time and resources since his gains would be counted more than those of Student B. However, without this disposition and willingness to do what his teachers told him, it might be considered counterproductive to work with him to pass the test, because a teacher could find several more compliant students that would collectively be worth as much in the accountability framework as Student A.

**Moral Hazards: Constraints on the Moral Work of Teaching Framework**

The hypothetical student example above illustrates that under an accountability regime the teacher’s long-term self-interest can become a strong consideration disproportionate to the interest of the student. Protecting her position, in the case above, could supersede any stated obligation to provide education for all students, regardless of their prospects for improving the school’s overall score. The moral hazard of accountability lies in this fact that it enshrines such personal interest in the implementation of the policy. Under conditions of personal interest, acting for the well being of others can take a secondary place. Because the MWT framework takes a deontic or aretaic approach to morally evaluating teaching practice, the teacher’s actions would be morally culpable because they fall short of the intention demands of the framework, which entails the laying aside of personal interest; yet such a framing, we argue, is intuitively incomplete. We elaborate below.

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23 Ibid.
Accountability: A Matter of Interests

Accountability imposes an ongoing temptation toward self-interest that deviates from the selflessness of teaching presupposed by MWT. Under accountability, a reasonable understanding of the teacher’s professional obligations conceivably can mean that it runs counter to the individual student or group interest. In an even stronger understanding of accountability, a teacher acting altruistically on behalf of the many invariably neglects some students because she must maximize value-added gains to maintain or improve the school’s rating. Within the neo-liberal accountability framework posited by NCLB-like reforms, it requires the largest number of students to make the greatest gains. Therefore, those students who have the least probability of making progress each year can be cast aside in favor of the greater percentage that will show progress on the accountability measurements. In this way accountability sabotages MWT’s selfless assumptions because of the ever-present threats to teachers’ livelihoods from under-realized achievement goals.

In the education field, it is not unusual for teachers to weigh the costs and benefits of classroom practices and various judgments; but in such cases, the default norm under the MWT framework has been that it is each student’s interests that should be at the heart of every decision. Although difficult choices are required at times (e.g. such as which students’ interests to advance in relation to others and in what priority), students ought not to be at the mercy of policy for the teacher’s sake. When such a paradigm emerges, the decision-making process then bears more similarity to the neo-liberal competitive environment of the business sector than presuppositions resembling a moral ideal. This state of affairs unfolded in the New York Board of Regents example.

Students whose performance composites were in the teacher’s sights because of their potential to do well on state exams would be viewed as means to an end. For example, the special education student with the excellent profile, mentioned above, could be helped through tutoring, online test preparation resources, placement into additional Spanish and advanced algebra courses, and one-on-one assistance, only because he could help the school’s Quality Review if he were to pass the Spanish and Advanced Algebra Regents exams. His own desire to take either course would not be salient. Similarly, students who passed all their exams and needed more classes would be viewed as having a legitimate chance of graduating if they could be motivated and their reasons for previously failing classes were addressed. These students would be given, for example, additional counseling sessions, provided peer mentors, placed into

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blocked double-period classes, given independent study courses, and allocated highly coveted online course licenses for credit recovery.

At the other end of the spectrum would be students who had passed all or almost all of their course requirements but still needed to fulfill additional criteria such as additional Regents exams. In *The Active/Ethical Professional: A Framework for Responsible Educators*, Gunzenhauser describes one example of the fate of these students, who are viewed as being “on the bubble.” In this example, the teacher “Jill” relates a conversation with her principal in which she is told to align her achievement goals for those who score a basic on the assessment to proficient at its highest because this data point presents the potential for greatest impact on the school’s aggregate score.25 Similarly, in our New York’s small schools reform movement example, there were students considered “lost causes” because they lacked the reading literacy to pass the exams, and even if they had been provided additional resources, their likelihood of graduation was slim—even though these were precisely the students who needed interventions.

**THE WEAKENING OF PRINCIPLED PEDAGOGY AND AN ETHIC OF CARING**

NCLB-style accountability also undermines the ideal of principled pedagogy that MWT presupposes. Teachers could have much to gain by sacrificing the potential of individual students to the calculus of overall school performance, which may be considered the greater good by both teachers and school administration, as opposed to being governed by professional codes of ethics or moral theories of best practices. Arguably, teachers might act for utilitarian reasons as one principle to advance group wellbeing by meeting accountability measures that keep the school afloat. Doing so would not place them in the optimal position to make the most objective decision that this moral framework required. The end state benefit maximization unequivocally must be one that protected and preserved their employment status, even if it did not maximize the overall benefits.

Lastly, the pressure to produce improved school-wide results challenges MWT’s presumption of an ethic of care animating the teacher-student relationship. On one conception of MWT, caring is a valued disposition in acting fairly. It involves Noddings’s teacher to student “dyad,” which is a reciprocal relationship of the one-caring and the cared-for. This relationship dictates the moral parameters of the teacher and student interaction.26 Writing in the context of preparing future teachers, Johnson, Vare, and Evers explain, “To employ an ethics of care, teacher candidates must develop abilities to focus on another rather than the self, to recognize the needs of others and become

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motivated to assist, and to engage in genuine dialogue.” In so doing, a caring relationship is established in which trust can flourish. For this conception, teacher ethics find the fullest expression in the classroom where the teacher has the opportunity to live out these ideals, and it is her decision-making process in this context that in the ethics of care interpretation most clearly indicates the presence of her moral disposition. The MWT framework underscores that teachers have been entrusted with the care of innocents; but as the notion of compulsory education has been weakened, historically, by NCLB-style accountability and its introduction of competition for public school dollars, the teacher’s default status as caretaker of innocents has diminished.

This striking change in the teacher’s orientation to her duties that attends accountability recasts teachers as managers rather than those in possession of moral agency. It is a managerial reading of the classroom that, according to Soder, relies upon a construction of professional expertise such that “the capacity of the teacher for moral agency is seriously impaired because of the kind of professionalization that increases the distance between the teacher and student.”

**Considering an Alternative Basis for Teaching Morally**

Given the moral hazards that accountability represents, what is an alternative to the MWT framework as an understanding of the moral animus of teaching? Hobbes’s formative construct of classical liberal political theory, the social contract, is helpful in formulating the dilemma and a possible direction for addressing the teacher’s social and political position under accountability. In Hobbes’s allegorical puzzle justifying the social contract, human beings live in a state of duress, where life is “nasty, brutish and short.” In a rendition of this conflict, the prisoner’s dilemma, prisoners at the mercy of a fascist regime find themselves facing a conflict between either individualism—confessing to a crime that they did not commit in order to receive the best possible sentence that an individual can—or riskily assuming common ground with an unfamiliar prisoner by remaining silent trusting the other will do the same. In choosing the latter, the prisoner can ensure the best possible outcome as opposed to one that places all of the risk on the unknown “other,” but it also requires trusting that his fellow prisoner will likewise attempt this feat of trust.

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27 Johnson, Vare, and Evers, “Let the Theory Be Your Guide,” 94.
28 Ibid.
Although the trust route offers more hope for collective action, in the real world of accountability, achieving trust faces substantial challenges. In promoting teachers’ status as autonomous agents, Fenstermacher suggests, they can become further isolated and vulnerable to exploitation. This outcome is due, in large part, to the disparity present in power relationships between teachers, administrators, and policy initiatives. Therefore, it could be argued that under the current system, it would be imprudent for a teacher to act on his or her own accord because of the threat of retribution by those wielding more power. Acting with the assumption of community support should substantively mean connecting with like-minded professionals before engaging in activism.

In schools, this power dynamic plays out in that all schools have become independent, self-governing, and self-monitoring entities, empowered to make decisions as they best see fit to meet the needs of their students within the accountability paradigm. However, individual schools, much like the individuals in the prisoner’s dilemma, are forced into a situation under accountability where they are competing with each other. Unlike the individuals in the prisoner’s dilemma, schools do not know who will be their peer group from year to year (in New York City there are up to forty schools against which an individual school is compared). Such a competitive environment means that they are making decisions on how to best meet accountability measures within a value-added, norm-referenced system that forces teachers collectively within these schools to make decisions that conflict with the MWT framework. This dilemma can be resolved only by weighing both the normative view of the role teachers should play in the classroom and their present status.

One possible direction of such a process is to value and foster teacher agency, even in a new normal of the teacher as manager. In this case, the context of teachers’ ethics is not limited to the classroom where she is restricted by accountability demands or by the limits of autonomy. Such a conversation would introduce moral hazards as unintended consequences of NCLB-style accountability into the broader discourse of school reform and, in a marked departure from a rhetoric of taking teachers to account, would recognize the hidden costs of trading presumed caretakers of society’s innocents for managers of resources. The teacher and public would be free and even morally obliged, therefore, to avail themselves of activism and other political means of advocating for changes.

Taking trust seriously as part of a democratic society’s social contract with its educational professionals means recognizing them and their right to contribute to accountability decisions governing their work. Under this scenario, those closest to the classroom would have input into the modification of accountability systems, rather than solely policy makers, who may have a limited understanding of the teaching profession. Elliot Eisner states, “distance breeds generalization,” and policy makers are generally far removed from the students whose lives accountability policies have been created to improve. Any policy, by nature, must be general and cannot address the individual needs of
individual students. However, by including teachers in the creation of accountability metric design, then we may be able to achieve a feasible sense of partnership.

**Conclusion**

A feature of earlier developments of the teaching profession, particularly with the professionalization movement, was an assumption of the competence and reliability of most teachers as professionals who endeavored to develop their craft. In the present milieu, however, the teacher is no longer viewed as being a highly trained and trust-worthy professional in the position of in *loco parentis* in student care. Further, in the rigors of accountability, the teacher is at the mercy of broader factors well outside the realm of her control, unfairly bearing the blame for less-than-optimal arrangements of high-stakes testing demands and wide student variability.

In this sense, her limited options are akin to the prisoner’s condition in Hobbes’s allegorical puzzle. The teacher could exercise her reason in deciding which of the available options is the best possible outcome, but they all require a sense of reciprocity with an uncooperative public. While the teacher and the public should choose trust as the basis of their relationship, a multi-decade case for greater teacher scrutiny has resulted in a social environment of mistrust such that teachers are no longer viewed as entitled as professionals to participate in the liberal democratic compact. We believe that this state of affairs fundamentally reconfigures the nature of the morality of the profession. While it is still the case that teachers are charged with the care of innocents, the public trust structuring this relationship is radically and even irrevocably altered by NCLB-style accountability. Therefore, the way forward lies in a definition of agency and autonomy that motivates an increased level of collective activism and self-advocacy beyond the classroom so that the teacher’s voice, for its own sake, has a more robust place in the broader discourse.

Lastly, Socrates believed that the sophists were acting immorally in teaching with material gain in mind. He claimed that being a catalyst for turning the soul towards truth was the only aim worthy of the teacher as philosopher. Viewed through the prism of accountability, Socrates and the sophists were similarly situated in Athens’s social fabric, despite their differing grounds for practice; neither was in the ideal social or political position to control their destiny. This paper has been an effort to offer considerations relevant to a possible middle ground between the Socratic ideal of MWT and the pure self-interest that is the consequence of the corporate model.

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33 The sources of this politics have been multifarious, from neo-liberal to progressive liberal.
34 Soder, “Rhetoric of Teacher Professionalization,” 74.