

## Ethical Decision Making: A Teaching and Learning Model for Graduate Students and New Professionals

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*Student affairs practitioners are inundated with a variety of ethical considerations when making day-to-day decisions regarding the welfare of students and colleagues. There is every reason to believe that confronting ethical issues will be an increasingly difficult issue for student affairs professionals in the future. This article provides a model for ethical decision making that is designed particularly for graduate students and new professionals.*

Student affairs practitioners are inundated with a variety of ethical considerations when making day-to-day decisions regarding the welfare of students and colleagues. Indeed, Kitchener (1985) stated that “college student personnel work has ethical choices at its very core” (p. 17). Robert Brown (1985) agreed and stated, “The common mission of the student services profession is being the moral conscience of the campus. Staff responsibility is to promote and support ethical behavior on campus and to recognize and confront unethical behavior” (p. 68).

Yet new student affairs practitioners and graduate students may view themselves as ill-prepared to address ethical decision making. The first time new professionals face an ethical decision is when it revolves around a crisis. At such times, the staff member may have to support a campus policy or a supervisor’s decision with which they do not agree; or the new professional may have to make a decision that is in conflict with his or her own personal set of values and standards.

Although ethical considerations have existed among student affairs practitioners for almost 70 years (Saunders & Cooper, 1999), the recent national trend of ethical lapses in business has brought this issue to the forefront. Carroll (2003) stated “today, after ... [the] numbing experience of watching one business executive after another fall victim to corruption and fraud, everyone seems to be calling on colleges and universities to do something about the ethics of organizations and leaders” (p. 1). Higher education has not been insulated from this “numbing experience”; recent examples include former University of Tennessee president’s excessive spending habits and the University of Colorado at Boulder’s scandal-ridden athletic program. It may be difficult to instill a sense of ethical behavior

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among our greater student population. Dalton (2002) voiced this concern when he wrote,

Student cynicism about the shallowness and hypocrisy of leaders and popular culture combined with students' privatism and concern for wealth and status to create a powerful college student culture of detachment in much of higher education. Colleges and universities often promote this culture of detachment by forcing a separation between intellectual and moral reasons and reflection. To the extent that issues of conscience, citizenship, character, civility, social responsibility are treated in academe as matters of personal discretion and peripheral to higher learning the more the culture of detachment is fixed in the minds and hearts of college students. (p. 1)

Many new student affairs practitioners may feel anxious when address ethical decision making due to their lack of training and experience. They may be wrestling with integrating their personal set of core values that will guide their work. Two of the biggest challenges student affairs professionals face when trying to implement ethical decision making are "How can I know whether I'm being ethical or not?" and "Why should I care if I make the ethical decision? I can't win for losing!"

Carroll (2003) provided insights for new practitioners wrestling with these issues. He wrote,

Maybe the appropriate question is not whether ethics can be taught, but whether they can be learned. In considering my own personal experiences and the experiences of many others I know and have observed, it is clear that ethics can be learned. As an experiment, think about what you believed was right and acceptable back when you were a teenager and then think about how you believe today. Case closed. I doubt if there are any of us who believe we have not grown ethically over these ensuring years. (p. 1)

Dalton (2002) agreed and stated, "One of the most important contemporary tasks of higher education is to help students ... [in] the complicated business of linking intellectual and ethical development and preparing [them] to live engaged lives of both achievement and responsibility" (p. 1).

We believe the same is true about graduate students and new practitioners. In an attempt to answer both Carroll's and Dalton's concerns, this article explores the dimensions of ethical decision making to aid new professionals and graduate students in their day-to-day ethical conflicts. This article examines common obstacles that occur when making ethical decisions and reviews and provides an application of Kitchener's (1985) principle model of ethical decision making through the use of vignettes and case scenarios. Specific teaching strategies are discussed for applying the vignettes and scenarios as resource tools for new practitioners to help improve their awareness and skill development in addressing ethical decision making.

### Objections to Teaching Ethical Decision Making

King, in her *APCA Developments* column, "Why Is It So Hard to Teach Ethics?" (1989), stated that the ongoing interest in ethical issues does not necessarily translate into student affairs practitioners taking the opportunities to teach ethics. She believed our failure to do so dilutes our effectiveness to explore ethical decision making issues for both our students and ourselves. King identified four objections that must be overcome when discussing the importance of teaching ethics:

1. *Teaching ethics will not do any good.* Critics point out that trying to teach ethics is an inefficient use of time and does not serve a common purpose as being ethical is an attribute that one either has or lacks. Unfortunately, such a belief denies the opportunity of experience for life-long growth and development, the type of learning that Carroll described earlier. King (1989) stated,

There is no doubt that there are many cultural influences that promote paternalism, sexism, violence and other evils. However, the power of these influences provides a stronger rationale for attempting to teach ethics, and in so doing, provide an antidote to values that are antithetical to those of higher education. (p. 19)

2. *Ethical dilemmas are unsolvable.* Another objection to ethical decision making lies in the fact that ethical dilemmas are by definition unsolvable. As such, when faced with an ethical decision one must address the difficulty of not finding one clear solution. Often times there are multiple solutions, some requiring the practitioner to choose between equally unfavorable alternatives. In response, King stated,

We must be able to explain why some solutions to ethical issues are better than others. Better ethical solutions would include those that are fairer, those that take into account the obligations we have toward others by merit of being part of the same community, or those that result in less harm to others. (p. 19)

3. *I did not know which ethics to teach.* Some practitioners, when asked to teach on ethical decision making, find themselves unsure of knowing what values to teach. Whether it is the mission of an organization, institution, or country, it is difficult to determine what values if there is not universal agreement on what is to be valued and practiced. Yet King (1989) believed that there are values that are found at the core of what it means to be an educator. She wrote,

There are values of a learning community. ... All members must feel welcome and safe ... [which] is not the case for many minority students ... who do not fit the norm of the majority culture, e. g. adult learners, gay and lesbian students, international students, handicapped students or students who don't drink alcohol often feel alienated or scared. (p. 19)

4. *Demonstrated perfection and/or a degree in philosophy are pre-requisites for teaching ethics.* Many new practitioners wrestle with the question of their ability to teach ethics.

They may harbor private concerns about past mistakes and worry about being exposed as hypocritical or inconsistent.

In summary, King believed that practitioners must accept that they are role models and that they teach ethics whether they want to or not. They must assume the responsibility for making all members of the community feel welcome and safe while encouraging and valuing an honest, open inquiry. Within this environment, all members are empowered to think and critically examine themselves to bring appropriate closure to the dilemma at hand. Practitioners must take risks in exposing our strengths and weaknesses. King believed that when practitioners raise

questions about other people's ethics, we are quickly confronted by our own ethics, and in the process end up reassessing our own lives: how we treat people, how we would like to be remembered, what we value and what our real priorities are. (p. 19)

Through this process, we overcome any objections that are raised about teaching and learning ethics and ethical behavior. And yet, as Carroll and King illustrated, this process evolves over several years.

Ethical dilemmas or a crisis can drastically increase practitioners' awareness of their ethical decision making skills; however, are there other processes for practitioners to explore in that can accomplish the same thing without the crisis? We believe that there is, and the next section explores Kitchener's model of ethical decision making.

### **Kitchener's Five Principles for Ethical Decision Making**

Karen Strohm Kitchener (1985) created a model of ethical decision making that incorporates five principles. She believed "the model proposes that ethical decision making is always a matter of a particular situation and that the facts of that situation dictate the ethical rules, ethical principles, and ethical theories that have relevance for a decision" (p. 18).

Kitchener differentiated between ethical rules and ethical principles. Ethical rules usually provide the foundation for ethical justification. Professional organizations, such as the Southern Association of College Student Affairs (SACSA), American College Personnel Association (ACPA), and National Association of Student Personnel Administrators (NASPA) publish a set of standards that the membership is expected to follow. These standards are created after a period of study, agreed upon by the association, and enforced through published guidelines. These standards are also periodically reviewed and are updated as appropriate. For example, with the increasing role of technology for communication and information transference, standards are constantly being reviewed to adjust to the technological advances.

Kitchener believed that ethical rules or codes cannot fully address all ethical dilemmas. She believed the codes break down for several reasons when experiencing a dilemma. She wrote,

Some would like to believe that ethical responsibilities are fulfilled if the ethical code of the profession is followed fully. This cannot be so. Ethical codes sometimes have omissions, or they offer contradictory advice. Further, university administrators have conflicting constituencies to whom their ethical obligations will often differ. (p. 19)

Ethical principles provide guidelines or a framework from which to make decisions regardless of the ethical considerations or dilemmas. As Kitchener stated “ethical principles are more general, abstract, and fundamental than ethical code. As a result, they provide a more consistent vocabulary or framework within particular cases or issues can be considered” (p. 19). Consequently, we believe the principles enable graduate students and new practitioners to make the best possible decisions in challenging ethical situations.

The first ethical principle that must be considered is “Respecting Autonomy.” When making an ethical decision a student affairs professional has the right to act as a free agent. Individuals have the right to decide how to live their own lives as long as their decisions do not impede on the welfare of others. Also, individuals have the right to make their own decisions and the right to respond to others’ actions however they see suitable.

The second ethical principle that student affairs practitioners consider when they are confronted with a difficult ethical decision is “Doing No Harm.” All individual needs should be considered when making a decision. Doing so ensures that professionals do not do anything that could potentially harm a student or staff member. Harm encompasses physical and psychological policies or actions that may harm an individual’s sense of self worth. Although “Doing No Harm” is a basic principle, its importance is vital when making an ethical decision.

The third ethical principle is “Benefiting Others.” When making ethical decisions, student affairs professionals should remember to promote the health and well being of every individual that is involved in the situation. As such, it is important to balance the potential for good with the potential for bad. When a decision is being made, all individuals involved are being considered and their health and well being is kept in mind.

The fourth ethical principle is “Being Just.” This principle ensures that every person involved in the ethical situation is being treated fairly. The rights of one individual or group must be balanced against the rights of another individual or group. It is vital to examine the situation and determine if the groups that are being compared are equals versus equals or non-equals versus non-equals, and if these differences are relevant in the case that is being considered. Treating others in ways that we would want to be treated is key.

The fifth ethical principle to consider when making ethical decisions is “Being Faithful.” This principle involves being trustworthy, keeping promises and respecting others by not exploiting them or their rights.

These principles provide an excellent framework for helping graduate students and new practitioners to understand the variety of issues and strategies when struggling with ethical decision making. The framework also serves as a new model for teaching graduate students and new professionals about ethical decision making.

### **A Teaching Model for New Practitioners**

Sundberg and Fried (1997) believed that college and university educators have the opportunity to provide students a holistic experience in which the student can see how ethical considerations are applied across the breadth of the institution. Sundberg and Fried stated,

Discussions of the various ethical approaches that student affairs professionals and faculty members use to make decisions; develop curricular and educational programs; and allocate time, money, and other resources can provide a good starting place for campus dialogues about our common educational purposes, because our ethical frameworks govern our choices in all these areas. (p. 67)

Janosik, Creamer, and Humphrey (2004) agreed and stated “to behave ethically, student affairs professionals must have a clear understanding of ethics, and the role of ethics in practice” (p. 357).

With these challenges in mind, our teaching model includes two components to explore the different facets of ethical decision making and how they inform practice. The model incorporates video vignettes from contemporary films to demonstrate Kitchener’s five principles of ethical decision making. A brief description of each vignette is provided in the next section, along with rationale as to why the vignette was selected and how it can be used. The model explores the use of case studies as a way for teaching and learning ethical decision making, and it utilizes real life scenarios.

### **Video Vignettes**

Movies can be an effective tool for addressing ethical decision making. Dunn and Forney (2004) stated,

Graduate students often express pleasure in watching movies, listening to music, or discussing novels or plays in student development theory courses. Faculty and student affairs professionals who employ pedagogies allowing them to use these materials often comment on the effectiveness of such approaches. (p. 16–17)

For example, the lead author of this paper took an ethical decision making class as part of his doctorate studies. Given the entire semester was dedicated to ethical

decision making, the faculty member utilized two contemporary films of that time to serve as the basis of discussion for a section of the class syllabus. This process was effective because the doctoral classes often meet once a week, three hours at a time, allowing for flexibility to watch and discuss a major motion picture, but when working in other settings, time is usually at a premium. Our model is designed for these types of time constraints.

Following is a brief summary of the corresponding vignettes that were chosen to demonstrate Kitchener principles:

### ***Respecting Autonomy***

*Crimson Tide* (1995) is the fictitious story of an American nuclear sub on patrol to launch a pre-emptive strike in the event Russian dissidents gain control of the launch codes for nuclear missiles. In this pivotal scene, Lt. Commander Hunter and Captain Ramsey argue whether to act upon direct orders to launch their missiles because the dissidents have gained control of their missiles and are fueling them for a launch against the United States. In this crisis, both characters are arguing Navy regulations governing the launch of nuclear missiles. Both points are in direct conflict and fully demonstrate the need for these individuals to act as a free agent, a person capable of making the decision of which choice is the correct course of action.

### ***Doing No Harm***

*Seabiscuit* (2003) is based upon the real life story of a depression-era horse that overcame numerous challenges to become the Horse of the Year in the late 1930s. Red Pollard, Charles Howard, and Tom Smith are the key characters of the story. In this scene, a young Pollard is given to a horse track owner after the stock market crashed and left the Pollard family homeless and bankrupt. The parents are demonstrating a concern for their entire family. On the one hand, they are concerned for Red, in that they do not have the money to feed him, much less house him. Because of his exhibited interest in horses, this decision seems logical. On the other hand, the parents are demonstrating their concern for the three remaining children, focusing on balancing the needs of all their children, while at the same time having to wrestle with their grief over intentionally letting go of their older child.

### ***Benefiting Others***

*Erin Brockovich* (2000) is the story of a young, divorced mother who works as a secretary for a small law firm. Brockovich's attention is directed toward the plight of the local community that lives beside a power company. Her investigation leads her to believe that many of the serious illnesses and indeed deaths in the local community may be linked to the power company. In one scene, Brockovich confronts her boss, Ed Masry the firm's owner, and encourages him to accept this case. Brockovich is clearly focused on the well being of the local residents and on confronting the injustice perpetrated by the power company. As the scene

continues, both Brockovich and Masry argue the merits of filing a lawsuit or not. In the end, both give ground and make the decision to pursue the case because of the needs of those residents, even if it creates a dangerous situation for their well-being.

### ***Being Just***

*A Time To Kill* (1996) is the fictitious story of a young attorney, Jake Brigance, who believes Carl Lee Hailey, an African-American, can receive a fair trial from an impartial all White jury in Mississippi. Mr. Hailey is accused of murdering two White men who allegedly raped and attempted to kill his 10-year old daughter. Throughout the case Brigance struggles with the facts of the case, Mr. Hailey's guilt, and his inexperience in trying death penalty cases involving different races. In this pivotal scene, Brigance makes his closing argument where he acknowledges his mistakes as well as the facts of this crime. In an attempt to be just, he talks the jury through the scenario faced by Mr. Hailey and asks them what they would do if the victim and defendant were White, and the perpetrators had been Black. In so doing, he invites the jury to treat everyone fairly and therefore effectively balance the needs of one individual against the needs of another individual.

### ***Being Faithful***

*Dead Poets Society* (1989) is another fictitious story where John Keating, a young English teacher, challenges his boarding school students to live their lives to their fullest by pursuing their own dreams. Along the way one young student, Neil Perry, who aspires to be an actor, commits suicide because he cannot reconcile his dreams with his father's dream for Neil to become a physician. Keating becomes the institution's scapegoat for this tragedy and is terminated from his position. Even though the boys have been pressured to falsely accuse Keating of encouraging Neil to go against his father's wishes, Keating continues to have faith in the boys. In this final scene of the movie, many of the boys stand up to the school's oppression and in an act of defiance, stand up for Keating as he departs the school. In so doing, the boys demonstrate loyalty, trustworthiness, and respect for Keating. At the same time, Keating demonstrates the same faithfulness to the boys in accepting the injustice placed against him by the school. To do otherwise would place the boys in jeopardy of being suspended by the school and ostracized by their families.

Even though these vignettes were each chosen to demonstrate a particular principle, these examples include multiple principles as described by Kitchener (1985). Careful study of the principles illustrates the degree of integration found within them. Two vignettes in particular, *Crimson Tide* and *Dead Poets Society*, clearly demonstrate all five principles.

### ***Ethical Case Studies***

Following the use of video vignettes, a series of case studies are used in this model (McDonald & Winniford, 1998). These scenarios involve a variety of situations. In



each scenario participants are assigned a position with responsibilities to address situations. Situations include having to address student inappropriate behavior, dealing with both a supervisor's and a subordinate's misconduct, and staff appraisal issues. In most cases, the specifics of the scenarios have been changed to maintain the confidentiality of the experience, but one scenario involving two independent student newspapers at then Memphis State University (now the University of Memphis) may openly be discussed because the situation was addressed through a series of newspaper articles and editorials which therefore became public knowledge. For the purpose of this article, a brief explanation of that scenario as well as the staff member's role will be described.

### Case Study: Assistant Dean of Students

The Black Student's Association monthly campus newspaper front-page headline article alleges racism by the residence life staff. A Black student's door was vandalized and the student alleges the incident was racially motivated. Further, the student alleges that the residence life staff has prosecuted him for minor violations while shielding the alleged vandals. Upon finishing reading the article, you [Assistant Dean of Students] receive a call from the editor of the campus daily newspaper. The editor requests an immediate meeting to discuss the allegation. After scheduling the meeting, you contact the staff to further research the incident. You learn that the Black student's door was vandalized as retaliation for repeated floor disturbances. The residents had complained to the Black student and the RA repeatedly. The RA had confronted the Black student to no avail and the Black student was sanctioned for failure to meet community standards. The behavior continued until the remaining residents vandalized the student's door. They admitted that they had taken this action and agreed to pay restitution to residence life for the door. They also agreed to be adjudicated through the residence life judicial system. The editor of the paper has arrived and requests information pertaining to the Black student's allegations.

This scenario presents several ethical considerations for students and young professionals as they choose to remedy the situation. The University of Memphis and the Tennessee Board of Regents institutions were under a court mandated order to desegregate. This order had been in place for several years, and it was a chief concern of administrators, faculty, and students. The student's allegation represented several key issues for the university and not surprisingly became front-page news quickly.

As students begin wrestling with the scenario, they discuss the needs of the alleged victim, the alleged perpetrators, and the university at large. This leads to recognizing rights of privacy, the role of the press, and the need to balance what is good for the individual and what is good for the campus. Almost every time graduate students and new practitioners indicate they would ask for more time and delay meeting with the editor until the next week. At this point participants discuss the role of the press, and the fact that the editor's involvement represents that this

situation is being carefully monitored. In real life, the article noted above was published on one day, and the independent newspaper's article was published the very next day. Participants also discuss that any delaying initiatives by the assistant dean would more than likely be viewed as an attempt to cover-up the alleged wrong-doing by the Residence Life Department. At that point, participants are asked to decide on how they would address the situation. Once a decision is made, participants must defend the decision and share the different issues and needs they were trying to address. The next step of the model is facilitating the discussion about the decision making process.

### Model Application

This model has been implemented in both campus professional development workshops and at conference presentations. Originally, it was presented as part of the SACSA/NASPA Region III Mid-Managers Institute. In that setting and conferences and campus workshops, the video vignettes have served as the basis of a 90-minute workshop. At the workshop, a brief overview of ethical decision making is given. The introduction includes a definition of ethical decision making, a review of appropriate cartoon depictions of ethical dilemmas, and King's (1989) article of "why is it so hard to teach ethics" is introduced. The model utilizes the five vignettes as a way of introducing Kitchener's (1985) five principles of ethical decision making. At the end of the workshop, participants are given a chance to discuss the principles and apply them to their individual responsibilities.

A second application of the model can be a three-hour workshop which is an expansion of the 90-minute version of the model. It depicts the use of the model in a graduate course. In this setting, students are given the first part of the workshop during a regular class session. Students are divided into seven different groups, assigned an individual case study to review and discuss the ethical ramifications of the scenario. Each student group has to make a final decision regarding its scenario and write a paper utilizing Nash's (1997) *The Ethics Problem-Solving Brief*. This paper is presented for discussion to their classmates at a subsequent class session, normally one or two weeks later. At the conclusion of the class, participants are given the opportunity to compare notes on how the others reconciled the dilemma. During the discussions, the focus of the discussion is directed toward making a decision to do the right thing and a willingness to face the consequences for making that decision. The point is made repeatedly that there was no one way to resolve the scenario and often the participants develop highly creative and ingenious ways for resolving the problem.

This model is also applicable as a conference presentation. It has been used as part of a NASPA preconference program entitled "Making the Most of Your Time in the Middle: A Professional Development Opportunity for Mid-Managers" (Shandley, Roper, Sisson, & Curran, 2002), and it was presented at the South Carolina College Personnel Association annual conference (Ebelhar, McDonald, Orehovec, & Sanderson, 2005). In both settings, as time constraints prevented a

three-hour workshop, only three scenarios were utilized. Volunteers from the audience were solicited to participate in a small-group discussion about the scenario in front of the entire group. This process allowed for the remaining audience members to ask questions and/or make suggestions and worked well given the conference program format restraints.

### The Future of Ethical Decision Making

In *The Future of Higher Education: Rhetoric, Reality, and the Risks of the Market*, Newman, Couturier, and Scurry (2004) described the changing nature of higher education due to several reasons: (a) intensified institutional competition; (b) the growth of for-profit and virtual higher education opportunities; (c) the ongoing impact of technology on student learning; and (d) the global opportunities afforded colleges and universities. The total impact of the changing nature of higher education remains to be seen, but our ability to model ethical decision making is already being impacted. For example, these authors believe that the increasing need for colleges and universities to raise funds from private sources is limiting the way universities enter into contentious issues. Specifically, administrators and faculty are less likely to speak out on difficult situations because potential donors may be offended. Newman et al. (2004) wrote,

There was a time when the nation's colleges and universities were viewed as a principle source of criticism about social and political trends. Communities turned to these institutions as a place for open debate and objective research. Academic freedom was designed to protect that very function so that academics would be free to teach and speak on controversial topics, and campuses could tolerate – even encourage – debate that helped illuminate critical issues. But there has been a marked change in the amount and type of debate taking place on the campus. (p. 63 – 64)

If Carroll's (2003) assumption that higher education is being called to clean up the ethical dilemmas of the society is correct, student affairs professionals' effectiveness may be hampered. It raises the question, "Why should we be worried about future ethical decision making by our graduate students and young practitioners?" This question was asked of the 40 participants at the South Carolina College Personnel Association's annual meeting. Their responsibilities ranged from entry level housing staff to chief student affairs officers at public research universities and private liberal arts colleges. Overwhelmingly, the participants' responses were that the profession must focus on ethical decision making as a means unto itself. Specifically, student affairs professionals must do the right thing for the right reasons at the right time. These participants also encouraged their colleagues not to worry about our litigious society when making decisions. If student affairs professionals make decisions within the scope of our responsibilities and keep colleagues and legal counsel informed, lawsuits will be minimal.

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