

AN EVALUATION AND ANALYSIS OF
TEACHERS' CODES OF ETHICS

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CHAPTER I

INTRODUCTION

The Problem and Its Purposes

The problem, that of studying the codes of thirteen other states and, in addition, the codes of Texas and the National Education Association, was selected because of the realization that a very small per cent of the teaching profession knows of the existence of such codes and a still smaller per cent knows anything at all of the content of the codes. The problem has two purposes: (1) to make an evaluation of the codes in the study on the basis of formulation, time spent in formulating, revision, enforcement, and dissemination; and (2) to make an analytical study of the content of the codes.

Background of the Problem

Teachers have been organizing for more than a quarter of a century in an effort to meet their professional problems more effectively. Local, state, and national organizations have grown out of this sense of need. These organizations have attempted to define the duties and obligations of the teaching profession toward the pupils, toward

society, and toward each other. These efforts have resulted in codes of ethics of state and national scope.¹

The teaching profession has been slower in adopting codes of ethics than other professions and there are certain lessons for educators in the experience of organization of these professions in formulating their codes. Contrary to popular belief, written codes of ethics are not of recent origin, for the Oath of Hippocrates dates back to the fourth century B. C. The American Medical Association, whose first code of ethics was adopted in 1848, embodies in its principles the medical ethics and ideals of Hippocrates as expressed in his ancient oath. The last part of the oath is quoted:

While I continue to keep this oath unviolated, may it be granted to me to enjoy life and the practice of art, respected by all men in all time! But should I trespass and violate this oath, may the reverse be my lot.²

Codes have long since been established, also, in the professions of law, pharmacy, dentistry, engineering, architecture, and journalism. Studies of these codes have found them to be effective and functioning documents.

The teaching profession has formulated codes of ethics, but most of them have proved ineffectual. A brief history of the development of teaching codes reveals the fact that

¹Dennis Cooke, Problems of the Teaching Personnel, p. 151.

²Ward G. Reeder, "The Need of a National Code of Ethics for Teachers," School and Society, XXV (April, 1927), 418

the first official state code of ethics for teachers was adopted by Georgia in 1896. The next state to formulate a code was California in 1904, with Alabama following in 1908. By 1920, the state associations of eight states had adopted codes, and by 1930, codes had been adopted in thirty-three states.³ By 1941, according to information received from the Mississippi Education Association, there were thirty-seven state codes in existence.

A further background for the problem was found in the need for codes of ethics. Landis says that the direct relationship of large numbers of educators with public control such as school boards or trustees "makes organized action for the protection of the profession even more necessary than in the case with those professions which do not face this situation." He says further that many teachers are young and unmarried and do not stay in the profession very long. This great turnover of teachers makes organization all the more necessary for those who do stay in the profession.⁴ Reeder believes that there is a need for codes for there are always some persons in every group who will violate accepted standards of conduct, and then there are those who have lately become members and for that or some

³C. W. Knudsen and L. O. McAfee, An Introduction to Teaching, pp. 333-334.

⁴Benson Y. Landis, Professional Codes, p. 95.

other reason do not know what is right and what is wrong.⁵

Method of Procedure

Communications were sent to the executive secretaries of sixteen state associations, including the secretary of the Texas State Teachers Association, enclosing a questionnaire with a request that it be answered and a copy of the code of ethics of each state be returned with it. Thirteen state associations besides the Texas association complied with the request for a copy of the code, answered the questionnaires and, in some instances, furnished further information in a letter. The codes were evaluated on the basis of the data furnished by the questionnaires and letters, and then were examined for the purpose of analysis.

Copy of Questionnaire Used in Study

1. When was your teachers' code of ethics adopted? _____
2. What method was used in formulating it? Was it done by a central committee or did other groups or members participate actively? _____

3. Has your code been revised? _____ When? _____
4. How much time was spent in formulating code? _____

5. What is your method of enforcing code? _____

⁵Reeder, op. cit., p. 418.

6. What method is used to familiarize teachers with the code?
-
-
-
-

Limitations of Problem

The codes of only a limited number of states were studied, since it would have been impossible to include all of the state codes in a study of this length. Questionnaires were sent to sixteen states with the expectation of receiving replies from at least twelve of them, but since thirteen replied, thirteen were used in the study. The thirteen codes did not include the codes of Texas and of the National Education Association, which were also used.

Definition of Terms

Some of the terms used in this study are defined in order to give clearness in understanding their meanings. The term "teacher" as it is used in the codes of Ohio, Oklahoma, Nebraska, and Louisiana is intended to include anyone connected with the profession, whether teaching or in an administrative or supervisory capacity. A code of ethics, as defined by Reeder, "is simply a list of rules and regulations governing the more common, the more important, and the chief friction-causing relations of a group

of people with common interests."⁶ William Ettinger gives another definition of a code of ethics. He says it may be defined as

a formulation of the ideal relationships that should exist between the teacher and the agencies and the persons with whom he comes in contact, such as the community, his fellow-teachers, his pupils, and those in parental or custodial relation to the pupil.⁷

The term "principles" as applied to the codes in the study is interpreted as general statements of facts or relationships which serve as standards for conduct but do not prescribe any definite rules for conduct. The term "rules" as applied to the codes designate particular activities as professional or unprofessional.⁸ "Ethical" is a term which is interpreted as meaning a conformation to professional standards.

Sources of Data

The sources of data used in this study were: (1) copies of state codes; (2) letters from secretaries of state associations; (3) answers to questionnaires sent to the secretaries of the state associations; (4) an unpublished Master's Thesis on the subject of teachers' codes; and (5) books and periodicals containing material on professional ethics.

⁶ Ibid.

⁷ W. L. Ettinger, "The Ethical Standards of the Teacher," School and Society, XVII (May, 1923), 569.

⁸ J. Orin Powers, "Ethics in the Teaching Profession," Journal of Educational Research, XII (November, 1925), 263.

CHAPTER II

CRITERIA FOR EVALUATING CODES

Codes of the teaching profession have naturally evolved from problems arising from the relations of the teachers with pupils, professional associates, parents, and the community, and from a desire on the part of teachers to raise the standards of their profession. A committee appointed by the Mississippi Education Association to prepare a unit of study on Ethics in the Teaching Profession reported in September, 1941, the existence of thirty-seven state codes.¹ In addition to these state codes, the code of the National Education Association was adopted in 1929. Some of these codes are revisions of earlier adoptions while many of them have never been revised. In order to determine to what extent revision had taken place and also to learn something of the mechanism of the codes, questionnaires were sent to the executive secretaries of sixteen state associations, thirteen of which were answered and returned. From the answers to these questionnaires, the code of the National Education Association, and the opinions of various writers, the following criteria for evaluating the codes

¹Information received from the secretary of the Mississippi Education Association.

were derived:

1. Local teacher groups should participate in formulating codes.
2. At least two years should be spent in formulating codes.
3. Codes should be evolving documents.
4. There should be some effective machinery for enforcement of codes.
5. There should be some effective means of familiarizing teachers with codes.

Formulation of Codes

Studies have shown that the effectiveness of a code is measured to a great extent by the method used in its preparation. The data obtained from the questionnaires relative to the method of formulation used by the different states used in the study are revealed by Table 1.

TABLE 1
METHOD OF FORMULATING CODES

	Frequency
Central committee.....	8
State-wide committee with approval of teacher groups.....	1
Submitting tentative code to large groups and rewriting it from suggestions received.....	2
No data.....	2

As will be observed from Table 1, most of the state codes were formulated by central committees with no active participation of groups or members. Codes should have their origin and formulation in the teaching body in order to have vitality and significance. They should not be imposed from without or above. "They are meaningless insofar as they are imposed upon teachers; they are vital and controlling insofar as they reflect a sensitive and enlightened conscience."² Since the code of the National Education Association was a contributing factor in setting up the criteria, it is worth-while to note what Ward G. Reeder has to say concerning its formulation:

Its making has been a scientific, painstaking, co-operative enterprise in which several thousand members of the profession have participated. Probably more research has gone into its making than into the code of any other group.³

It is worth-while to notice, also, the method in which the Michigan code was formulated. Under the leadership of the Professional Problems Committee in Michigan, the district committees studied an earlier code with the intention of eliminating its weaknesses and retaining its good points. Frequent discussions in committees and in district meetings did much to bring the members to an understanding of the code's provisions. After the code was tentatively adopted,

²Ettinger, op. cit., pp. 9-10.

³Ward G. Reeder, "Ethics of the Teaching Profession," Journal of the National Education Association, XVIII (November, 1929), 260.

it was again turned over to committees for further study and discussion before final adoption.⁴ According to Almack and Lang, codes "will be sanctioned and will be effective only to the extent to which they reflect what all feel and all think."⁵ Likewise, Reavis feels that codes, "when developed and sanctioned by the group which they are intended to influence . . . lead to social relationships of higher order than is usually possible in groups that have developed no such instruments."⁶ If there were more active participation in the formulation of codes, so much emphasis would not have to be placed on code dissemination.

Time Consumption in Formulating Codes

In arriving at a standard for judging the length of time which should be spent in formulating a code, many factors had to be considered, such as the rapidity with which committees worked and the cooperation they received from teacher groups. Another important factor to be considered, also, was the fact that the five years spent by the National Education Association in formulating its code was a longer period of time than would probably be required

⁴Arkie Elms, "Teachers' Codes of Ethics" (Unpublished Master's Thesis, Department of Education, North Texas State Teachers College, 1940), p. 15.

⁵J. C. Almack and A. R. Lang, Problems of the Teaching Profession, p. 63.

⁶W. C. Reavis and C. H. Judd, The Teacher and Educational Administration, p. 548.

by the states for two very obvious reasons. The code of the National Education Association had to be made adaptable to all teachers in the nation and the members of the committee on formulation were too widely separated for frequent meetings. The data in Table 2 give the time spent by nine of the states to which questionnaires were sent.

TABLE 2

TIME CONSUMPTION IN FORMULATING CODES

Time Consumed	Frequency
2 years.....	3
3 years.....	2
6 months.....	2
1 year.....	2
No data.....	4

Table 2 shows that not all of the states furnished data on the time spent in formulating their codes. This fact, no doubt, minimized the value of the plan used in setting up this second criterion which was, briefly, getting the approximate average of the time spent by those states which did furnish data. Since it is the popular belief that there should be active participation by teacher groups in making codes, it seems that anything short of two years would not be adequate for that participation. The theory that at least two years should be spent in the formulation of a code of ethics is supported by the fact that several years were spent in making codes by various other professions before final adoption. Two notable examples

of these professions are the American Medical Association whose first code was adopted in 1848 and the American Bar Association whose Canons of Ethics was adopted in 1908.⁷ In further substantiation of this theory, the committee which formulated the Pennsylvania code, which is taken by many educators as being a representative code, spent three years in a careful study of not only other teachers' codes but also of the codes of other professional organizational groups as well. A statement by Chamberlain adds its weight to the effect that code-making is not of short duration:

To be effective, a code of ethics must have its roots in the experiences and traditions of many generations. Morals and ethical principles evolve; they are not prepared on a moment's notice.⁸

Revision of Codes

The next criterion to be considered in the evaluation of the codes in this study is that of making codes evolving documents, but the inference from Table 3 is that there have been few recent revisions.

For the most part, educators seem to be of the same opinion concerning the revision of codes, and this criterion is derived by examining these opinions.

An important reason for the ineffectiveness of codes

⁷Herbert Hawley, "Group Organization Among Lawyers," Annals of the American Academy of Political and Social Science, CI (May, 1922), 38.

⁸Leo M. Chambers, The Teacher and the School Organization, p. 631.

TABLE 3
REVISION OF CODES

State Codes Studied	No. Revisions	Date of Revisions
Pennsylvania....	2	1928, 1931
Michigan.....	0	0
Alabama.....	1	1943
California.....	0	0
Louisiana.....	1	1925
Mississippi.....	1	1929
Ohio.....	0	0
Oklahoma.....	1	1934
Colorado.....	0	0
Missouri.....	No data
Nebraska.....	1	1936
Massachusetts...	0	0
Washington.....	1	1929

is the fact that they lie unrevised for such long periods of time. This fact implies that one of two things is happening: either conditions are not changing (which is impossible) or new situations are constantly arising which are not being defined (which is certain). "To become an agency of effective control, a code must be an evolving document, recording the responses an organization makes to new situations."⁹ Almaack and Lang recognize, also, the need for code revision as is evidenced in this quotation:

Codes necessarily stand in need of revision as new conditions arise and old ones disappear. On this account it is advisable to subject codes to frequent examina-

⁹Landis, op. cit., p. 98.

tions to see if they are adapted to the times. . . .
As experience in using a code grows, many opportunities for improvement will appear.¹⁰

Revision was considered important enough by some of the states in this study to be mentioned in the codes as being one of the duties of the permanent committee on professional ethics. The states thus providing for revision are Michigan, Oklahoma, and Pennsylvania. Furthermore, in the eighth yearbook of the Department of Classroom Teachers of the National Education Association is this statement concerning codes: "The task is by no means completed; the code for teachers must be readopted constantly as circumstances dictate. It must be dynamic to be useful, for ethics is a philosophy -- not a science."¹¹ In concluding the discussion on code revision, Graves thinks that provision needs to be made for continuous revision of codes, for educational and social conditions are constantly changing and new situations are arising which must be met.¹²

Enforcement of Codes

Table 4 reveals the fact that eight of the state associations included in this study have some sort of mechanism for the enforcement of their codes.

¹⁰Almack and Lang, op. cit., p. 61.

¹¹Department of Classroom Teachers, National Education Association, The Modern Teacher, Eighth Yearbook, p. 113.

¹²Frank Pierrepont Graves, The Administration of American Education, p. 316.

TABLE 4
METHOD OF CODE ENFORCEMENT

Method	Frequency
Commission.....	8
Acceptance is voluntary.....	5

Former studies in this field found six out of the thirty-seven codes which provided for their enforcement by commissions. This investigation revealed three others, one of which is not included in this study. The Michigan Education Association, which is included in the eight shown in Table 4, did not include in its code a provision for its enforcement by a committee on professional ethics, but it has a Professional Problems Committee whose responsibility it is to administer the code. Public opinion has been the chief agency in many instances for the enforcement of the professional codes, but educators do not think this the best procedure as will be seen in the next paragraph.

The engineering profession has a committee to which breaches of ethics are reported. This committee deals directly with the person accused, and no one really knows what action it takes. There are at present a few teachers' codes which provide for permanent commissions for investigating and taking action on any unethical conduct.¹³ According to Knudsen, the legal and medical professions have

¹³Almack and Lang, op. cit., pp. 71-72.

for a long time conducted trials for the prosecution of those who have been accused of violating their ethical codes.¹⁴ Samuel Weber says:

Effective machinery should be set up to remedy improper professional practices. This can probably be done effectively by each state educational association setting up a separate Commission on Professional Ethics which should investigate important cases of violation and sit as an impartial jury to which each side of the controversy may appeal with equal confidence in its fairness.¹⁵

Graves believes that even though group opinion has been created, it cannot deal unaided with violators of the code unless there is machinery through which it can operate, so he points out the need of some official group to investigate infractions of the rules and decide what action should be taken. The verdict of this body should be submitted to the state association as a whole for approval or rejection.¹⁶

Reavis makes this pertinent observation:

Probably no group is entitled to consideration as a profession until it has set up ethical principles for the regulation of its practices and has provided for the enforcement of these principles.¹⁷

The Committee on Professional Ethics appointed by the National Education Association in 1934 recommended in its

¹⁴Knudsen, op. cit., p. 330.

¹⁵Samuel Weber, Cooperative Administration and Supervision of the Teaching Personnel, p. 37.

¹⁶Graves, op. cit., pp. 314-315.

¹⁷Reavis, op. cit., p. 536.

report that all teacher-training institutions give consideration to the problem of interpreting and enforcing the provisions of the codes of ethics, both state and national. From Chamberlain comes this statement:

. . . a code of ethics is likely to be effective only when the profession that it represents is sufficiently homogeneous and close-knit to make possible the exertion of real pressure in the direction of its enforcement.¹⁸

Landis, in his study, came to the conclusion that, in order to have more effective control over professional relations, commissions should be set up by the state educational associations for making "investigations of alleged violations of codes and to conduct trials of offenders."¹⁹

Dissemination of Codes

The problem of familiarizing teachers with codes is a matter with which several states through their educational associations are attempting to cope, but others are making little effort to publicize their codes. An example of the latter group was found in a study made by Arkie Elms in his Master's Thesis at North Texas State Teachers College in 1940, which showed that a cross section of Texas teachers did not even know of the existence of a state code of ethics. It further showed that the "present dissemination of both the state and national codes is almost entirely by

¹⁸Chamberlain, op. cit., p. 631.

¹⁹Landis, op. cit., p. 98. .

publication in official magazines."²⁰ Since Table 5 indicates that the publication of codes in the official magazines is the chief method of disseminating codes used by approximately one-half of the states included in this study, it is reasonable to believe that the teaching body, as a whole, knows very little about its ethical codes.

TABLE 5
DISSEMINATION OF CODES

State	Method Used
Pennsylvania.....	In teacher-training institutions, and the commission reports each year to the House of Delegates.
Michigan.....	Studies and discussions in Michigan Education Association Districts.
Alabama.....	Forum technique used by local organizations and one specific problem of ethics presented each month in <u>Alabama School Journal</u> by members of the state commission.
California.....	Occasionally sent to teachers' groups for their consideration.
Louisiana.....	Copies furnished teachers and code published in official publication of association.
Mississippi.....	Printed every few years in <u>Journal</u> .
Ohio.....	Publicity in <u>Journal</u> and distribution of copies of printed code.

²⁰Elms, op. cit., p. 28.

TABLE 5 -- Continued

State	Method Used
Oklahoma.....	Published in official magazine and copies sent to large numbers.
Missouri.....	No data.
Colorado.....	Publishing in <u>School Journal</u> , meetings of <u>Delegate Assembly</u> , in published reports of Ethics Commission.
Nebraska.....	Published in <u>Journal</u> and issued to teachers with certificates.
Massachusetts.....	Occasional publication in <u>Journal</u> .
Washington.....	Published in state teachers' magazine and local officers' yearly manual.

It is evident, then, from Table 5 that no very great effort is being made in some of the states to see that teachers become familiar with their codes. It is worthwhile to note that, from this study, it was revealed that the percentage of states offering no effective means of code dissemination was much higher in the thirty-seven states having codes than it was in the thirteen used in this study. It is the opinion of educators that there should be some means in use of making the ethical codes known to members of the profession, but they are not all of the same opinion about how it should be done.

A report of the Committee on Professional Ethics of

the American Association of Teachers Colleges in February, 1936, gave some recommendations on how the code material available at the time of the report could be used in the curriculum of teacher-training institutions.²¹ Three of those recommendations are:

1. In the education of teachers, proper provision should be made for the study of ethics of the teaching profession and the relationship which a teacher has with the various individuals and groups with whom she comes in contact.

2. It is not desirable to organize this study into a separate course, but to present it as a part of larger professional courses and through the student teaching experiences.

3. In general, it is recommended that the material be definitely presented in connection with at least three definite courses or experiences of the student in his entire program.

V. M. Rogers, chairman of the National Education Commission on Professional Ethics, urges that teachers become interested in unethical practices in their communities and offer assistance to the state commission on ethical practices.²²

²¹R. L. West, "Teaching Professional Ethics," Journal of the National Education Association, XXV, 118.

²²Virgil M. Rogers, "Our Professional Ethics and the War," Journal of the National Education Association, XXXIII, 39.

Lillian Gray, a member of the committee of which Mr. Rogers is chairman, in her article against the unethical conduct practiced by superintendents during the war, offers some suggestions for publicizing the national code such as sending for the abbreviated form of the code which can be mounted or presented along with the diplomas to teachers' college graduates, and to form both local and state professional ethics committees to help familiarize teachers with codes and to fight violations of ethical practices. She says if the code of the teaching profession is to match that of the medical profession, it must become more widely known.²³ Almack and Lang offer the suggestions that the teachers' codes should be read, discussed, and evaluated in terms of the local situation at one of the first professional meetings during the school year, and every teacher should be supplied with a printed copy of the code at the beginning of the year. Some time should also be given to the study of professional ethics in an introductory course in education in every teacher-training institution.²⁴ In a study made by Knudsen and McAfee, it was revealed that the teaching profession is doing less to teach its code to new members than any of the other professions. They do not favor separate courses in professional ethics in teacher-

²³Lillian Gray, "A Second Front on Professional Ethics," ibid, pp. 116-117.

²⁴Almack and Lang, op. cit., p. 65. .

training institutions but think the wiser plan is to give the subject a place in other courses.²⁵ It is Graves' belief that if provisions of the ethic codes are to be popularized and practiced, it is necessary that they be constantly discussed until every teacher is acutely conscious of them. Professional standards should be discussed in local teacher groups and in teachers' meetings. Articles on the subject of ethics should be published in the state educational journals, and, furthermore, a teacher should become familiar with professional ethics during her period of training in teacher-training institutions, as she does in the state of New Hampshire, where the code is regularly taught in teacher-training institutions.²⁶

²⁵Knudsen and McAfee, op. cit., pp. 336-337.

²⁶Graves, op. cit., pp. 310-314.

CHAPTER III

EVALUATION OF CODES

The teaching profession is still in the exploratory stage of code making, and, though it has come a long way since the adoption of the first code, there are still numerous obstacles to be overcome before codes will become the effective documents in the teaching profession that they are in other professions. There may be other means employed to produce more effective codes, but this study has based their effectiveness upon the method of formulation, the time spent in formulating, revision, method of enforcement, and mode of dissemination.

According to the questionnaires which, with the codes of the thirteen states used in this study, furnished the greater part of the information for this chapter, there are eight states which do not meet the criterion as set up in Chapter II for the formulation of codes. The Pennsylvania Association, whose code was adopted in 1920 and was used as a model by other states until the adoption of the code of the National Education Association in 1929, is one of the group which does not meet the requirement as prescribed by this study. Although Pennsylvania's code

was formulated by a central committee with no active participation by teacher groups and was adopted by the House of Delegates, much thought and effort went into its planning. Not only were earlier teaching codes studied, but those of other professions as well. Oklahoma and Mississippi, whose codes predate that of Pennsylvania by two and four years, respectively, likewise employed a central committee for the formulation of their codes. Massachusetts and Washington, certain sections of whose codes were identical with sections of the Pennsylvania code, chose the same means for making their codes. The remaining three states which used the same method were Louisiana, Ohio, and Nebraska. California approached the standard when her code was prepared by a state-wide committee of teachers and then submitted to teacher groups for their approval before final adoption. The criterion was just about achieved by Michigan and Alabama in the formulation of their present codes, both of which seem to be revisions of earlier ones. The method used by Michigan was explained in Table 1, Chapter II, but will be briefly summarized here. A tentative code was first drafted, submitted to teacher groups, and then rewritten from suggestions received from these groups. The Ethics Commission in Alabama prepared a tentative code, based in organization on the code of the National Education Association, which it submitted to district and

local committees. The final code as it was adopted by the House of Delegates incorporated the changes which resulted from discussions of the code in local and district committees. Missouri and Colorado furnished no data on the method used in formulating their codes.

Pennsylvania and Mississippi more than met the standards set for the time required in formulating codes when they spent three years in making theirs. The three states meeting the two-year requirement were Michigan, California, and Nebraska. Alabama and Washington required only one year, while in Oklahoma and Louisiana only about six months were spent in formulating codes. Ohio, Colorado, Massachusetts, and Missouri furnished no data concerning the time spent on code making by their associations.

In the matter of revision, the information received on the questionnaires did not always jibe with that gleaned from other sources. According to other studies made on the subject, more revisions have been made than were reported on the questionnaires; however, the questionnaires were used as the source of information for this chapter.

The Pennsylvania Association comes to the front again with two code revisions to its credit, one in 1928 and the other in 1931. The Alabama Association, the revision of whose code in 1943 amounted practically to the formulation of a new one, has made only the one revision. The other

states which are credited with one revision are Louisiana, in 1925; Oklahoma, 1934; Nebraska, 1936; and Washington and Mississippi, 1929. Those states which, according to the questionnaires, have made no revisions are Michigan, California, Ohio, Colorado, and Massachusetts. Missouri again furnished no data.

That some state associations are attempting to enforce their codes is evidenced from the information revealed by the questionnaires. Eight out of the thirteen states included in this study have made an effort to provide some machinery for the enforcement of their codes. Michigan, included in the eight, while not having a committee on professional ethics, has a Professional Problems Committee whose duty it is to administer the code. Alabama's Ethics Commission is set up in the constitution of the Alabama Association. It is the duty of this commission to take appropriate action on violations of unethical practices. The questionnaire from Alabama reported that in one case during the past year the commission recommended to the State Superintendent the revocation of the certificate of the teacher involved. In Colorado there is likewise a committee on ethics of the state association which reviews cases and makes recommendations to the Board of Directors of the Colorado Educational Association. In the five other states the machinery for enforcing the codes is

set up in the codes themselves. The committee in Pennsylvania is known as the Commission on Professional Ethics, and it is the duty of this commission "to have oversight of all questions arising in connection with the ethics of the teaching profession within the state."¹ Landis reports that two decisions involving professional conduct have been made by this commission after investigating cases that were reported to it. The first case involved a proposal made to a superintendent by a certain supply house which seemed to be, in the opinion of the commission, a violation of that section of the code which deals with the relations between a member of the profession and supply houses. The supply house promised the commission to discontinue that method of dealing with superintendents at once. The second case investigated by the commission concerned the professional relations between a superintendent and a teacher. After serving for thirteen years in the same school system, a teacher was given notice that she was not re-employed for the following year without having been given a hint during the thirteen-year period that she was not rendering satisfactory service. The judgment of the committee was that the superintendent had violated that section of the code which provided that a teacher should be given

¹Pennsylvania Code of Ethics.

"timely" notice that she was not to be re-employed.²

While the codes of Mississippi and Missouri do not provide directly for a committee on professional ethics, they do recommend the appointment of such a committee upon the written request of any teachers against whom charges of violations of the codes have been made or upon the written request of the person or persons making the charge. The code of Oklahoma provides for state, district, and county ethics committees with the provision that the county committees be the first to take action on unethical practices, and if the county committee fails to do so, the district committee is supposed to act, but in the event of its failure to take any action, the state committee is to assume charge. The code of Louisiana provides for a professional committee whose duty it is to report and prosecute violators of the ethical code before a state committee. The decision of the state committee is final. "The penalty, if one is found guilty, shall be expulsion from the association with regrets for not being able to make it more severe."³ Of those states which have made provision for the machinery to enforce their codes, Louisiana, Mississippi, and Oklahoma, according to the questionnaires, do not make any use of it.

²Landis, op. cit., pp. 2-4.

³Louisiana Code of Ethics.

Those states which have made no provision for the enforcement of their codes or have depended for enforcement upon the good judgment of members of the teaching profession are California, Ohio, Nebraska, Massachusetts, and Washington.

The next criterion, that of familiarizing teachers with codes, is perhaps fairly well met by Pennsylvania, which is the only state in this study to have its code taught in teacher-training institutions. In addition to its use there, the Commission on Professional Ethics reports each year to the House of Delegates on its activities. According to information received from the assistant secretary of the Alabama Education Association, the local ethics chairmen have been successful to a fair degree in that state in making the principles of the code plain to teachers. Alabama's plan of dissemination as given in the questionnaire is quoted here:

Many of the constitutions of our local associations specify that the code shall be read in full at one meeting each year. Where such provision does not exist, the commission recommends that the local ethics chairman take action to acquaint teachers with the code. Several associations have used effectively the forum technique in discussing before local groups various ethical questions.

Each month in the Alabama School Journal the commission presents one specific problem of ethics, members of the state commission serving in turn as contributing editors for the column. Reader response to the column has been considerable.

In Michigan, studies and discussions of the code are held in Michigan Education Association Districts and in California it is occasionally sent to teacher groups for their consideration. Colorado uses the plan of publishing the code in the official magazine of the association, discussing it in the meetings of the Delegate Assembly, and publishing the reports of the Ethics Commission. Nebraska is the only state in the study in which the code is issued to teachers with their certificates. In addition, it is published in outline form in the Nebraska School Journal. In Oklahoma and Ohio, it is published in the official magazine and copies are distributed to large numbers of the teachers. Washington publishes it in the state teachers' magazine and in local officers' yearly manuals, while in Mississippi and Massachusetts it appears only occasionally in the official magazine of the association. Missouri furnished no data.

An Evaluation of the Texas Code

Even though the Texas Code of Ethics, according to information received from the executive secretary of the Texas State Teachers' Association, was replaced in 1939 by the code of the National Education Association, it will be judged in this study by the same standards as the other codes, and a copy of it will be given as a reminder that Texas has had a written code of ethics.

The Texas code was unique in its formulation in that it was the work of one man, Ed. R. Bentley of McAllen, Texas. It was adopted by the Executive Committee of the Texas State Teachers' Association, January 11, 1924.⁴ There has been no record found of its adoption by the association. Information on the questionnaire gives one or two years as the approximate time spent in preparing the code. As far as can be ascertained, it was never revised, even though some provision was made for revision at the Dallas Convention of the Texas State Teachers' Association in 1938. Article 17 of the resolutions adopted at that time reads:

We recommend that the Executive Committee appoint a special sub-committee to revise the Code of Ethics formerly adopted by this Association to meet the present conditions and needs of our profession.⁵

There was no machinery provided for the enforcement of the code, and the only effort made to publicize it, as far as this study has been able to ascertain, was its publication in The Texas Outlook in February, 1924. The Texas code contains a few specific rules but in the main it is a code of broad generalities; however, it is fairly typical of most codes, for they are made up of generalities and specific rules. The Texas code perhaps has fewer of the latter than

⁴"Code of Ethics for Texas Teachers," Texas Outlook, VIII (February, 1924), 7.

⁵"Resolutions of T. S. T. A. Adopted at the Dallas Convention, 1938," Texas Outlook, XXXIII (January, 1939), 17-18.

many of the others.

The Texas Code of Ethics

To teach the children of America aright is to guarantee the happiness of the people and the successful perpetuity of our government. This important task has been entrusted to the public free school system with its thousands of teachers. Those who engage in this great service must not only be trained technically and professionally for their duties, but they must also possess those qualities of heart and mind that will insure that they themselves are worthy and patriotic citizens whose leadership will lift the level of human ideals and achievements a little higher than they found them.

Having dedicated my life to service in this vocation, I recognize that it is my duty as a teacher:

1st. To regard my profession as worthy and dignified, and as affording me an unusual opportunity to serve the present and future generations.

2nd. To work continuously to elevate the standards of the teaching profession, and to affiliate actively with the professional organizations thereof -- local, state, and national.

3rd. To improve myself physically, mentally, morally, and professionally that I may give the very best service possible to the boyhood and girlhood of America.

4th. To acknowledge that my first and highest obligations are due not to myself or to the school officials, but to those who are being taught; and to agree that any doubtful ethical procedure be settled on the basis of its contribution to this primary obligation.

5th. To take a personal interest in the progress of each pupil and seek to know his parents and to understand his home environment.

6th. To regard it as a binding obligation to go before every class prepared in subject matter and with definite objectives laid out for the guidance of my pupils in profitable work.

7th. To refuse to take advantage of my position as a teacher to make a financial profit of sales of any kind whatsoever, or to coach pupils of my own classes for pay, without special permission of school authorities.

8th. To be loyal to my supervisors and fellow teachers so long as I remain a member of any organizations with them.

9th. To give the fullest co-operation to those in positions of administration, and to extend to them the benefit of doubt in matters of policy.

10th. To refuse to criticize fellow teachers or predecessors in the presence of pupils or patrons, or to bear tales from one teacher to another or to the administration about another teacher, unless the best interest and well-being of the school demands such action.

11th. To consider it unprofessional to interfere in any way in matters of discipline between another teacher and pupil.

12th. To refuse to underbid a rival applicant in order to secure a position, and to refuse to apply for a position until a vacancy has been announced.

13th. To be willing at all times to encourage and to help another teacher by giving information or counsel as long as in so doing it does not become detrimental to myself or interfere with my obligations to those I teach.

14th. To organize properly and leave for my successors such information, data, and records as may be needed in beginning the next year's work.

15th. To regard myself, when elected to a position, the permanent incumbent until due and proper

notice is given by the board of its intention to replace me at the end of the session or until notice is given by me of a desire to resign.

16th. To refrain from "talking shop" in the presence of strangers or those not engaged in the profession.

17th. To give a full measure of service both inside and outside the classroom without reservations or limitations because of salary.

18th. To regard it as unprofessional to sign a yearly contract to teach for a wage insufficient to cover legitimate expenses for twelve months.

19th. To regard my contract as sacred, and not to resign without the consent of the board unless the contract provides for an automatic release upon proper notice.

20th. Finally, to so order my personal conduct that no reproach can come upon my profession, but rather that my educational leadership may help to mold an efficient, honest, and patriotic American citizenship.

An Evaluation of the National Code of Ethics

The code of ethics of the National Education Association which is now used as a pattern by states and which has supplanted the state codes in several instances, is the result of five years of painstaking effort and cooperative endeavor on the part of several thousand people. The committee to prepare the code was appointed in 1924 and the National Education Association officially approved the report of the committee in 1929. The code has been revised several times to meet changing conditions. The code makes provision for a Commission on Professional Ethics which is

charged with enforcing the code in states which do not have a code commission. This commission is charged also with the responsibility of publicizing the code and promoting its use in teacher-training institutions.

Condensed Form of the National Code

The teacher should be courteous, just, and professional in all relationships.

Desirable ethical standards require cordial relations between teacher and pupil, home and school.

The conduct of the teacher should conform to the accepted patterns of behavior of the most wholesome members of the community.

The teacher should strive to improve educational practice through study, travel, and experimentation.

Unfavorable criticism of associates should be avoided except made to proper officials.

Testimonials regarding the teacher should be truthful and confidential.

Membership and active participation in local, state, and national professional associations is expected.

The teacher should avoid indorsement of all educational materials for personal gain.

Great care should be taken by the teacher to avoid interference between other teachers and pupils.

Fair salary schedules should be sought and when established carefully upheld by all professionals.

No teacher should knowingly underbid a rival for a position.

No teacher should accept compensation for helping another teacher to get a position or promotion.

Honorable contracts when signed should be respected by both parties and dissolved only by mutual consent.

Official business should be transacted only through properly designated officials.

The responsibility of reporting all matters harmful to the welfare of the schools rests upon each teacher.

Professional growth should be stimulated through suitable recognition and promotion within the ranks.

CHAPTER IV

ANALYSIS OF CODES

An examination of the thirteen codes used in this study revealed two types, those in which a discussion of principles underlying professional conduct were in predominance, and those which, in the main, contained statements of rules for professional conduct. In the former type definite rules for conduct were mentioned chiefly as illustrations. As examples of the two types of codes, Section 8 of the Code of Ethics of the Pennsylvania State Education Association gives in very clear and specific language definite rules governing the relations of teachers with supervisory officers, while in the codes of Missouri and Oklahoma is found this statement: "We hold that our profession stands for ideals, service, and leadership." It is true that all situations cannot be defined in rules which should go into a professional code, and it is also true that all codes contain both generalities and specific rules, but some codes are noted for the clarity and conciseness of their language, while in others the statements are so vague that there could be great difficulty in interpreting them, especially for a beginning teacher. In most codes there

are articles of two types, those which would control professional relations in order to protect and benefit the public, and those which would protect the profession. The purpose of this analysis is to select the various declarations upon which most codes are in agreement and then find the frequency of occurrence in the codes of the rules of conduct defining these declarations.

The first step in the analysis was an examination of the codes to determine what declarations were common to most of the codes. The next step was a statement of these declarations and a reduction of the statements to convenient captions, the third a classification of the rules of conduct according to their relationships, and the fourth was a determination of the frequency of occurrence in the codes of the rules of conduct clarifying these declarations. It was difficult at times to see definite relationships in the rules, so for that reason, not all of them were classified.

Professional Advancement

With a single exception, the codes of all thirteen states give some definite admonition to teachers concerning their professional growth. As Table 6 indicates, twelve of the codes furnish one or more rules governing the conduct of teachers in this respect.

In examining the codes, that of Michigan was found to

be the only one which does not contain some specific rule for conduct concerning professional advancement. However, the rules given in some codes are more definite and specific than those in others. In eight of the state codes, teachers are urged to maintain their professional efficiency. In Missouri and Washington, teachers are urged to secure full standard professional training and, as is likewise specified in the codes of Pennsylvania and Massachusetts, they are to be progressive students of education. The

TABLE 6
FREQUENCY OF OCCURRENCE OF RULES IN CODES
GOVERNING PROFESSIONAL GROWTH

State	Frequency
Pennsylvania.....	1
Michigan.....	0
Alabama.....	2
California.....	2
Louisiana.....	2
Mississippi.....	1
Ohio.....	2
Oklahoma.....	1
Missouri.....	3
Colorado.....	2
Nebraska.....	2
Massachusetts.....	1
Washington.....	3

codes of the two latter states go a step further and say that teachers should be obligated to participate in and attend educational meetings. Colorado, Nebraska, and Alabama urge their teachers to maintain their efficiency by study and travel, while in Louisiana they are to uphold the

high standard of admission to the profession.

In addition to maintaining professional efficiency by the means already mentioned, all of the states with the exception of Michigan and Pennsylvania admonish their teachers to become active members in the local, state, and national associations. The Mississippi code calls for membership and active participation in the Mississippi Education Association only, that of Missouri urges it in both the state and national associations, while the nine other states -- California, Alabama, Ohio, Louisiana, Oklahoma, Colorado, Nebraska, Massachusetts, and Washington -- suggest in their codes that teachers become members and active participants in local, state, and national associations. Section 5 of the Washington Education Association Code of Ethics is representative of what the other codes have to say about membership in educational organizations, so it will be quoted here:

It is chiefly by means of educational organization that the status of teachers has been raised and the quality of its service improved. All teachers profit by these improved conditions. It is unethical to accept the benefits while refusing support to the organizations which secure and maintain them. Consequently, all professional-minded teachers give active support to their local, their state, and their national associations.

Relations Between Teacher and Pupils

The data in Table 7 reveal that all of the thirteen states have something to say in their codes about the

relations existing between the teacher and the pupils.

As Table 7 indicates, the Michigan code furnishes more rules for guiding the relations between teacher and pupils than any of the other codes, but not all of them are statements of specific rules, since some of them are generalities.

TABLE 7
FREQUENCY OF OCCURRENCE OF RULES IN CODES
GOVERNING TEACHER-PUPIL RELATIONSHIPS

State	Frequency
Pennsylvania.....	2
Michigan.....	10
Alabama.....	3
California.....	2
Louisiana.....	3
Mississippi.....	3
Ohio.....	5
Oklahoma.....	3
Missouri.....	1
Colorado.....	3
Nebraska.....	3
Massachusetts.....	2
Washington.....	1

Only such statements in the Michigan code, however, which most of the other codes have in common on the relations between teacher and pupils will be taken into consideration. One rule upon which eight states are in agreement concerns tutoring pupils for pay. The Louisiana code puts it this way: "No teacher should tutor pupils of his own classroom for financial gain unless he obtains special permission from the school authorities." The Michigan and Alabama codes not only say that a teacher should refrain from

tutoring for remuneration pupils of his own class, but say that pupils shall not be referred to any member of his immediate family for tutoring without special permission. In the Nebraska code, the rule reads thus: "The teacher should not tutor for pay pupils of his classes or those of the classes of his co-workers." The four other codes having similar rules are those of Ohio, Oklahoma, Colorado, and Massachusetts.

Likewise, eight codes are in agreement on the matter of withholding confidential information concerning children. The Pennsylvania code states it this way: "Teachers should not discuss the physical, mental, moral, or financial limitations of their pupils in such a way as to embarrass the pupils or parents unnecessarily." The Louisiana code states briefly, "The confidence of a pupil should never be violated." In the Michigan code, teachers are admonished to "withhold any confidential information concerning pupils except from authorized agencies that are attempting to aid the child." The Nebraska and Colorado codes point out that "the professional relations of the teacher with his pupils demand the same scrupulous guarding of confidential and official information as is observed by members of other long-established professions." With a slight change in the wording, the Alabama code says the same thing, and the codes of Ohio and Oklahoma have similar provisions.

Another statement governing teacher-pupil relationship

which five of the state codes have in common is the only reference which the Missouri and California codes make to this relationship. The statement, which is not in the nature of a specific rule, appears in the Missouri code in these words: "We believe that our highest obligation is to the boys and girls entrusted to our care." The codes of Massachusetts, Pennsylvania, and Michigan make similar declarations. Nebraska, Ohio, Alabama, and Michigan agree with this section of the Colorado code:

In instructional, administrative, and other relations with pupils, the teacher should be impartial, just, and professional. The teacher should consider the different interests, aptitudes, abilities, and social environments of pupils.

The only reference which the Washington code makes to the relations between teacher and pupils is one in which cooperative relationship between teacher and parents and pupils is advised. Several states make this same reference but, since it can just as well be classified as relations between the teacher and parents, it will be discussed in that category. The Mississippi code deals mainly with principles in teacher-pupil relationships and these principles are not clarified by rules. There is one specific rule, however, which is not found in any of the other codes. It says of the teacher: "He should avoid any seeming favoritism to children whose parents have special influence in the community." A rule which is likewise peculiar to the

Oklahoma code excludes such conduct on the part of the teacher as keeping company with one's pupils.

Relations Between Teachers and Supervisory Officers

Some of the codes contain very definite statements concerning the relations that should exist between the teachers and supervisory officials while some, as in other instances, deal in generalities. Table 8 indicates that such statements occur with a much greater frequency in three of the state codes than in the others.

TABLE 8

FREQUENCY OF OCCURRENCE OF RULES IN CODES GOVERNING TEACHER-ADMINISTRATOR RELATIONS

State	Frequency
Pennsylvania.....	8
Michigan.....	2
Alabama.....	3
California.....	3
Louisiana.....	3
Mississippi.....	3
Ohio.....	3
Oklahoma.....	2
Missouri.....	1
Colorado.....	2
Nebraska.....	2
Massachusetts.....	7
Washington.....	8

The frequency of occurrence is identical in the codes of Pennsylvania and Washington, as are the statements concerning the relationship between the teacher and supervisory officials. Seven of these same statements occur in

the code of Massachusetts. That section of the Pennsylvania code which deals with the relations between the teacher and the supervisory officers will be quoted, since the Washington code has all the same provisions, and the code of Massachusetts all but one.

(a) Cooperation, loyalty, and sincerity should characterize all relations between supervisory officers and teachers.

(b) Each teacher is entitled from time to time to statements of his professional record, whether favorable or unfavorable, and may properly request such statements.

(c) A supervisor of classroom work should observe the following ethical principles in relations to the teachers whose work he observes professionally.

(1) He should express an opinion upon the work observed following each professional visit.

(2) He should recommend ways to remove every fault pointed out and allow reasonable opportunity for improvement.

(3) He should not criticize a teacher before other teachers or before pupils.

(4) He should just as certainly and just as unflinchingly point out the excellences as the faults of the work observed.

(5) He should give ample opportunity for conference previous to observation of the teacher's work.

(d) A superintendent or other advisory officer should be ready and willing at any time to answer official inquiries from prospective employers concerning the qualifications of any teacher under him, and should be willing to write to any interested party, at the request of a teacher, giving a statement of the teacher's professional record under him, but evasive or equivocal letters of recommendation should not be given.

Michigan, Louisiana, Alabama, Colorado, California, and Oklahoma stress cooperation, between teachers and supervisory officers in a rule similar to that found in the codes of Pennsylvania, Massachusetts, and Washington; but the

provisions made by these states are in more accord with the statement in Colorado's code than with that in Pennsylvania's, and for that reason the Colorado code will be quoted here:

There should be cooperation between administrators and classroom teachers, founded upon sympathy for each other's point of view and recognition of the administrator's right to self-expression. Both teachers and administrators should observe professional courtesy by transacting official business with the properly designated person next in rank.

The codes of Nebraska, California, Louisiana, and Alabama make practically the same statement concerning cooperation as does the Colorado code, but in the matter of transacting business with the properly designated authority, the language of their codes is a little more specific and says that a teacher should not go over the head of his immediate superior without notifying him of his intention to do so or until an honest effort has been made for mutual understanding.

There were found to be only two other state codes which agreed with the section of the Pennsylvania code which refers to the matter of informing teachers from time to time of their professional rating. The codes of Pennsylvania, Massachusetts, Mississippi, Ohio, and Washington, go a step further and say that a teacher should be given timely notice and a chance for a hearing before his dismissal or non-appointment. The code of Massachusetts, whose rules governing the relations between teachers and supervisory officers

are identical with those of Pennsylvania and Washington in seven instances, has nothing to say about keeping teachers informed concerning their professional records.

In the matter of giving testimonials, the codes of Michigan, Colorado, Mississippi, Alabama, Nebraska, and Louisiana do not have as much to say as those of Pennsylvania, Washington, and Massachusetts; but all agree that they should be frank and confidential.

In several of the codes, administrators and teachers are to refrain from unfavorable criticism of each other, administrators are to give due consideration to teachers and to give any complaint a fair and impartial hearing; and teachers are not to fail to report to the proper authorities matters involving the best interests of the school.

All the codes except those of Pennsylvania, Washington, and Massachusetts are silent concerning the conduct of a supervisor toward a teacher whose work he observes professionally.

Relations of Teacher with Home and Community

In dealing with the relations between the teacher and the home and community, all the codes make one or more definite statements concerning this relationship. The data in Table 9 reveal that the code of Michigan again takes the

lead in the frequency of the occurrence of statements on this subject, but again very few of the statements are in the nature of specific rules.

TABLE 9

FREQUENCY OF OCCURRENCE OF RULES IN CODES
GOVERNING TEACHER AND HOME AND
COMMUNITY RELATIONS

State	Frequency
Pennsylvania.....	2
Michigan.....	9
Alabama.....	2
California.....	2
Louisiana.....	3
Mississippi.....	5
Ohio.....	2
Oklahoma.....	1
Missouri.....	1
Colorado.....	3
Nebraska.....	2
Massachusetts.....	2
Washington.....	3

Missouri, Nebraska, and Oklahoma are the only three states out of the thirteen in this study whose codes do not provide specifically for maintaining friendly and cooperative relationships between the teacher and the home. In addition to cooperating with the home, the codes of Pennsylvania, Mississippi, Massachusetts, and Washington admonish tact and frankness in dealing with parents on matters of importance. Washington's code briefly summarizes the relations between the teacher and the home thus:

Teachers should especially be tactful, frank, considerate, and sympathetic in all their relations

with parents. They should establish friendly and frank relations of cooperation with parents and pupils and support organizations for that purpose.

In the matter of the relations existing between the teacher and the community, it is interesting to note that in one instance some of the codes disagree. The Louisiana code makes this statement: "At no time in the classroom should religious, political, or personal viewpoints be discussed, for these tend to promote discord rather than harmony between the school and community . . ." Colorado shares Louisiana's view, while in the Alabama code appears this statement concerning the teacher:

He should direct full and free discussion of appropriate controversial issues with the expectation that comparisons, contrasts, and interpretations will lead to an understanding, appreciation, acceptance, and practice of the principles of democracy.

This section of the code, however, says further that

a teacher, administrator, or supervisor should refrain from using his classroom privileges and prestige to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.

The codes of Colorado and Nebraska have a similar provision.

Several states agree that a teacher should exercise to the fullest extent his duties and privileges of citizenship in the community. They admonish teachers to feel themselves a part of the community, promote its welfare, and share actively in its activities. The codes of Ohio, Washington, Nebraska, Alabama, Oklahoma, and Louisiana make such provisions; while that of Mississippi goes so far as

to say that a teacher should pay his poll tax and pay it preferably in the community where he teaches.

There are a few other code provisions in the teacher-community relationship. The codes of California and Louisiana mention cooperation and loyalty to parent-teacher work; Mississippi and Alabama urge their teachers to respect the customs, traditions, and the moral and religious sentiments of the community; while the Missouri code admonishes teachers to govern themselves so that the profession will be given the confidence of the public.

Relations with Colleagues

Most of the rules given in the codes concerning the relations between a teacher and his colleagues are very specific, even though there is a scarcity of them, as is revealed in Table 10.

TABLE 10

FREQUENCY OF OCCURRENCE OF RULES IN CODES GOVERNING RELATIONS WITH COLLEAGUES

State	Frequency
Pennsylvania.....	2
Michigan.....	4
Alabama.....	1
California.....	2
Louisiana.....	1
Mississippi.....	5
Ohio.....	2
Oklahoma.....	1
Missouri.....	2
Colorado.....	2
Nebraska.....	2
Massachusetts.....	2
Washington.....	1

Washington's code is the only one which does not make a definite rule concerning unfavorable criticism of associates, but the implication is clear in what it does have to say about a teacher's relations with his colleagues. "Mutual respect and loyalty should characterize the relationship among members of the profession. The high honor of the profession should be the personal charge of each teacher." The codes of the other states are insistent that teachers refrain from unfavorable criticism not only of present associates but especially of predecessors. The code of Mississippi is fairly representative of the other codes in this respect:

Adverse criticism of a predecessor or of a teacher employed in the same system, particularly of a teacher of a preceding grade, is unethical, and should not be indulged in by those who are mindful and regardful of the dignity of teaching. Such criticism, if made, should be made only with the intent of serving some good professional end.

While these states agree that unfavorable criticism of an associate should not be made except in the best interest of the school, the codes of Mississippi, Massachusetts, and Pennsylvania state that teachers should not fail to expose any corrupt practices or misconduct in the profession and should unhesitatingly help disqualify and debar any teacher whose conduct is a reproach to the profession.

The codes of Mississippi, Washington, Michigan, Oklahoma, Missouri, and California are alike in that they

require of the members of the profession cooperation with each other and indicate that respect and loyalty should characterize all relations.

There remain a few provisions which are not found in the codes of more than two states. Colorado and Nebraska say that a teacher should not interfere between another teacher and pupil in school matters. The code of Ohio urges a sharing and exchange of new ideas among teachers, while the Michigan and Louisiana codes encourage teachers to leave any information, materials, and data to a successor which he may need in carrying on the work of the school, and further admonishes teachers to keep any information concerning associates confidential.

Appointments and Promotions

The information gained from Table 11 shows that, on an average, the codes of the thirteen states have more to say concerning appointments and promotions than concerning any other code declarations.

There are seven state codes which say that appointments and promotions and salary advancements should be obtained exclusively on merit. These codes belong to the states of Pennsylvania, Colorado, Michigan, California, Massachusetts, Ohio, and Alabama. A representative statement comes from Pennsylvania's code:

All appointments, promotions, or advancements in salary should be obtained exclusively on merit.

To this end it is proper for the candidate to make his qualifications known to the proper school authorities either directly or through a teachers' agency.

The Colorado code adds that "school officials should encourage and carefully nurture the professional growth of worthy teachers by recommending promotion, either in their own school or in other schools." The Alabama code, while agreeing that qualifications should be the sole determining factor in appointment and promotion, goes further and excludes the use of pressure on school officials to obtain a position.

TABLE 11

FREQUENCY OF OCCURRENCE OF RULES IN CODES
CONCERNING APPOINTMENTS AND PROMOTIONS

State	Frequency
Pennsylvania.....	5
Michigan.....	4
Alabama.....	3
California.....	3
Louisiana.....	3
Mississippi.....	4
Ohio.....	3
Oklahoma.....	4
Missouri.....	5
Colorado.....	3
Nebraska.....	4
Massachusetts.....	4
Washington.....	4

Nine codes, those of Pennsylvania, Colorado, Louisiana, Ohio, Alabama, Michigan, Washington, California, and Massachusetts, make definite statements concerning the application for a position not known to be vacant. The statement

in the Louisiana code is very specific and is a fair representation of what is found in the other codes on the subject. It says: "The teacher should take no steps towards obtaining a specific position until he knows the position is vacant or about to become vacant." The Alabama code explains when a position is considered as "about to become vacant."

The codes of Pennsylvania, Louisiana, Ohio, and Michigan say that a teacher should not secure an offer elsewhere for the sole purpose of using it as a means of obtaining an increase in salary in his present situation. Colorado, Nebraska, and Alabama have the same views on the subject, but add in their codes that school officials should not refuse to give a deserved salary increase until an offer from other schools forces them to do so. Alabama's code goes so far as to say that violators of these provisions, both school officials and teachers, will be reported to the Commission on Professional Ethics with the recommendation that their certificates be revoked.

Pennsylvania, Washington, California, and Massachusetts believe that when a teacher accepts a position, he should notify the places where letters of application have been sent. A superintendent, likewise, so say the codes of Mississippi, California, and Massachusetts, should, in seeking a teacher from another school, notify the proper officials of his intention to try to secure the services of the

teacher. The codes of Colorado, Louisiana, and Nebraska specify that a teacher should not be deprived of the opportunity for advancement because of the superintendent's reluctance to part with him. Both of these statements are combined into one in the Pennsylvania and Massachusetts codes, and will be quoted from the Massachusetts code:

Whenever a superintendent or principal is seeking a teacher in another locality, he should inform the proper officials of that locality, but a superintendent's reluctance or a principal's displeasure in parting with a teacher should not deprive the teacher of an opportunity for deserved advancement.

Colorado, Michigan, Washington, Oklahoma, and Missouri believe, and so specify in their codes, that a teacher should not knowingly underbid a rival candidate or a salary schedule in order to get a job. The codes of Missouri and Mississippi say that it is undignified and unethical for teachers to try to obtain positions by "innuendo, exploitations, complimentary press notices or advertisements," while the Oklahoma code is a little more specific when it says that it is unethical for a teacher

to join with others in a trade whereby a given teacher may lose his or her position; or to pay or offer to pay for another's influence or vote in securing a position; to sell or offer to sell one's influence in securing a position for another.

Compensation and Contract Obligations

The number of rules each state has made governing compensation and contract obligations is very small and, as will be observed from Table 12, not all the codes offer any

suggestion whatever in the matter of compensation for teachers.

TABLE 12
FREQUENCY OF OCCURRENCE OF RULES IN CODES
GOVERNING COMPENSATION AND CONTRACT
OBLIGATIONS

State Code	Compensation	Contract Obligations
Pennsylvania.....	1	1
Michigan.....	0	1
Alabama.....	1	1
California.....	0	2
Louisiana.....	1	1
Mississippi.....	0	1
Ohio.....	1	1
Oklahoma.....	0	1
Missouri.....	1	1
Colorado.....	1	1
Nebraska.....	1	1
Massachusetts....	1	1
Washington.....	0	1

Even though there is a scarcity of statements in each code concerning compensation and contract obligations, there is variety in the statements; consequently, it has seemed necessary to quote the parts of several codes which deal with these two subjects.

In the matter of compensation the Pennsylvania code says:

The teaching profession should demand for each of its members that compensation which will enable him to render the most efficient service. To attain

maximum efficiency the compensation must be sufficient to enable him to live upon a scale befitting his place in society, to permit the necessary expenditures for professional improvement, and to make proper provision for those dependent upon him, and for himself in his old age.

The provision concerning compensation in the Massachusetts code is identical with that in the Pennsylvania code. The codes of Colorado, Alabama, and Nebraska say that even though a teacher should not limit his services by reason of a small salary, he should insist upon a salary scale commensurate with his place in society, while the Louisiana code is a little more emphatic and insists that a teacher "demand financial remuneration for service in accordance with the position he is to maintain in society." Ohio's code carries with it provisions somewhat similar to those of the Pennsylvania code, but the slight difference found in the two makes it worth-while to quote the statement from the Ohio code, too: "Teachers should expect and work collectively for salaries sufficient to enable them to live in comfort and security, improve themselves by travel, study and meetings, and provide for the year of retirement." The provision in the Missouri code follows an entirely different line of thought and reads: "We recommend 'equal salaries for equal service' to all teachers of equivalent training, experience, and success."

It will be observed from Table 12 that the codes of

all thirteen of the states, with the exception of California, make only one provision concerning contract obligations, but as was true in the provisions dealing with compensation, the variety of the statements makes it necessary to quote some of them in full. Article 6 of the Pennsylvania code reads:

A teacher should never violate a contract. Unless the consent of the employing body is obtained releasing the obligation, the contract should be fulfilled. On the other hand, when a teacher is offered a better position elsewhere it is against the best interests of the schools to stand in the way of the teacher's advancement by arbitrary insistence upon the terms of a needlessly rigid contract, if the place can be satisfactorily filled.

As has been the case in several previous instances, the provision in the Massachusetts code concerning contract obligations is almost identical with that in the Pennsylvania code; however, the provision in the Massachusetts code is qualified by the statement that insistence upon written contracts is not as customary in Massachusetts as in other states. Colorado, Michigan, Oklahoma, Alabama, and Nebraska believe that contracts should be adhered to until dissolved by mutual consent. Mississippi and Missouri think that a contract should not be severed unless due notice is given and unless in doing so, the teacher conforms to the rules and regulations under which he made the contract. The Louisiana code in the matter of contract obligations is very brief: "The teacher should execute fully his

contract in spirit as in letter." In Ohio, teachers are to fulfill contracts in spirit and in letter, too, but they are urged before signing contracts to be sure that such contracts are just and fair. The Washington code holds that all teachers should consider contracts binding, once they are signed, and says that release from contract obligations, except for urgent reasons, "should not be sought shortly before the time of beginning service nor during the period for which the contract is made, unless such release can be arranged without injury to the teaching position affected." The code of California is unique in that it makes two statements concerning contract obligations, both of which will be quoted here:

Personal integrity is the cornerstone of social well-being. Violation of written or verbal contract without consent of the employing body, or of delegated authority, on the part of either teacher or administrator, is a violation of personal integrity, sufficient to merit loss of standing as a member of the teaching profession.

The other statement concerns boards of education, and reads: "Violation of such contract by boards of education should, upon proof, constitute due cause for public censure."

Relations to Supply Houses, School Boards, and Teachers' Agencies

The teacher's relations with supply houses, school boards, and teachers' agencies will not be considered for

separate emphasis since statements concerning the teacher's relations with any one of these three agencies appear very rarely in the codes of the thirteen states included in this study. Table 13 reveals that there is only one state out of the thirteen whose code has a statement or statements concerning relationship with all three of the agencies.

TABLE 13
 FREQUENCY OF OCCURRENCE OF RULES IN CODES
 GOVERNING RELATIONS BETWEEN TEACHERS AND
 SUPPLY HOUSES, SCHOOL BOARDS, AND
 TEACHERS' AGENCIES

State Codes	Supply Houses	School Boards	Teachers' Agencies
Pennsylvania....	1	2	6
Michigan.....	0	0	1
Alabama.....	1	0	0
California.....	0	0	0
Louisiana.....	1	0	0
Mississippi.....	0	6	0
Ohio.....	1	0	0
Oklahoma.....	1	0	0
Missouri.....	0	0	0
Colorado.....	1	6	0
Nebraska.....	1	0	0
Massachusetts...	2	2	0
Washington.....	0	0	0

Pennsylvania's code furnishes a statement concerning relationship with all three agencies and the codes of Colorado and Massachusetts furnish statements concerning two of

them, while the remaining states either have nothing to say at all or make provision concerning only one of the three agencies. Louisiana's provision says: "No member of the profession should accept a commission, royalty, or other compensation for books or supplies for the purchase of which he exercises the right to decide." The codes of Pennsylvania and Massachusetts make practically the same provisions as Louisiana's except that the Massachusetts code goes a step further and says: "No teacher should accept the aid of an agent of any book or supply house in obtaining a teaching position." The codes of Oklahoma, Alabama, Colorado, and Nebraska all make provisions similar to that made in the Louisiana code, but the statements in these codes include more than relationship to supply houses. Each of them contains an admonition against teachers using their positions for personal gain other than the salary involved such as selling articles of trade to subordinates when the subordinates may feel under compulsion to buy whether they want to or not, securing contracts for school buildings, and accepting compensation for helping a teacher get a job. Even though these last provisions do not concern a teacher's relations with supply houses, it seemed worth-while to mention them.

The Massachusetts code has two statements concerning the teacher's relations with the school board which say in summary that teachers should recognize the legal authority

of the school committee (so called in Massachusetts) and be loyal to its policies, but if the attitude of the committee prevents members of the profession from serving the best interests of the school and if efforts to remedy the situation have been of no avail, then they should appeal to the Massachusetts Teachers' Federation. Article IV in the Colorado code has six sections devoted to the board of education, but not all of them concern the relations of the board with teachers. Those sections which do deal with this relationship say that a school board will elect no teacher not recommended by the superintendent, no member of the board will try to influence the superintendent in his choice of teachers, no complaint against a teacher will be considered that has not first been submitted to the superintendent, and no board member will attempt to secure special privileges from individual teachers. Mississippi, likewise, devotes six sections of her code to the relationship between teachers and the school board, but in this case the statements are so closely allied with those concerning the teacher and supervisory officers that some of them have already been mentioned in that category. Provisions which do directly concern a teacher's relations with the school board say that a teacher is not to recommend another to the board for a position that has not been declared vacant; that a teacher may appeal, in extreme cases, to the school board if he feels that he has been treated

unjustly by the superintendent; and then there is the admonition to teachers to cooperate in carrying out the policies of the board. As in the case of the Mississippi and Colorado codes, the code of Pennsylvania urges loyalty to the policies of the school board, but adds further that if the attitude of the board is such that the teachers are prevented from serving the best interests of the school and repeated efforts to remedy the situation have failed, then an appeal should be made to the Committee on Professional Ethics.

The codes of Pennsylvania and Michigan are the only ones which offer any help in defining the relations which should exist between teachers and employment agencies. The Pennsylvania code urges teachers to condemn agencies for certain unethical practices such as encouraging teachers to break their contracts and the like. It further specifies that any information given to a superintendent by a teachers' agency should be held in the strictest confidence and that no superintendent or any other employing official is to receive a commission for services or exercise of influence from a teachers' agency. The Michigan code states briefly that a teacher will recognize only those employment agencies that adhere to the ethics of his profession.

Commissions on Professional Ethics

Table 4 reveals that there are eight of the thirteen states with commissions for the enforcement of the ethics codes, but as was explained in Chapter III, in three of these states no provision was made in the codes for the commissions, so only those five states shown in Table 14, having such codes and provisions will be considered here.

TABLE 14

FREQUENCY OF OCCURRENCE OF RULES IN CODES CONCERNING COMMISSIONS ON PROFESSIONAL ETHICS

State	Frequency
Pennsylvania.....	1
Michigan.....	0
Alabama.....	0
California.....	0
Louisiana.....	1
Mississippi.....	1
Ohio.....	0
Oklahoma.....	1
Missouri.....	1
Colorado.....	0
Nebraska.....	0
Massachusetts.....	0
Washington.....	0

Only those states whose codes provide for an ethics commission will be considered here. Reference has been made to the commissions in these states in Chapter III, but a more detailed discussion of them is necessary at this point. The Pennsylvania code makes this provision for an ethics commission:

There shall be a Commission on Professional Ethics operating under the Pennsylvania State Education Association. This Commission shall consist of the President of the Association ex officio and four members of the profession, appointed by the President, with terms of four years each, one term expiring on July first each year.

The provision further states that the duties of the commission will be to give its interpretation of the meaning of various principles of the code, to make investigations rendered advisable in connection with the code and to take such action in regard to its findings as seems wise, and to make recommendations to the state association concerning any amendments or additions to the code.

The organization of the commission in Louisiana is a little different. The provision in the code concerning the commission reads in part:

A professional committee should be formed in each parish, composed of the President of the local association as a chairman-at-large in his parish, assisted by one member from each police jury ward, elected by the teachers of the parish, at the organization meeting in the respective parishes, whose duty it will be to report and prosecute before a state committee. This state committee should be composed of the president of the state association assisted by a representative from each national Congressional district, appointed by the president of the state association. Their duty shall be to try each case on its merits and pass judgment. The decision of the committee shall be final in all cases.

The codes of Mississippi and Missouri make practically the same provisions concerning a committee on professional ethics. The Mississippi code reads:

A committee of three may be appointed by the president of the Mississippi Education Association to investigate charges or reports of violations of this

Code of Ethics, as hereinbefore set forth, and to render to the president a decision sustaining the said charges or reports, or exonerating the teacher. This committee shall be so appointed at the written request of any teacher against whom such report or charges have been made, or at the written request of any teacher desiring to charge another teacher with the violation of the Code of Ethics.

The provisions of the Missouri code are exactly the same with two exceptions. The committee in Missouri is to be appointed by the Executive Committee of the State Teachers' Association and any decision made by the committee concerning charges made against a teacher is to be referred to the Executive Committee of the Association. The Missouri code, however, further recommends "that the results of such investigation on the part of said committee shall be published in our authorized paper, School and Community; provided this act of publication receive a majority vote of the Executive Committee of the Missouri State Teachers' Association."

The Oklahoma code provides not only for the appointment of a state code committee but also for district and county committees as well. Concerning the state committee the code reads:

It is recommended that the State Code Committee be appointed by the President of the Oklahoma Education Association with the advice and approval of the Board of Directors of the Oklahoma Education Association, to consist of six members chosen from representative school people of the state who are actually engaged in school work, to be selected as follows: One county superintendent, one city superintendent, one principal and three teachers, one of whom shall

be from a rural school. The Committee shall elect one of its members as chairman, who shall have no vote except in case of a tie vote.

.....

They should be appointed for a period of three years, except the first committee; two of the members of the first committee should be appointed for a period of one year, two for a period of two years, and two for a period of three years.

Concerning the appointment of a district code committee, the Oklahoma code makes this recommendation:

It is recommended that a District Code Committee be appointed in each of the Oklahoma Education Association districts by the presidents and boards of directors of these districts. It is recommended also that the members of the district committees be distributed among the teachers, principals, and superintendents as that suggested for the State Code Committee, and that their term of office, including that of the first committee, be the same as that for the State Code Committee.

For the organization of the County Code Committee, the code recommends that "a County Code Committee be appointed by the presidents and boards of directors of the county teachers' associations, and that the personnel, term of office, including the first committee, be similar to that of the State and District Committees." The code further recommends that each of these committees is to make specific rules governing "the presentation of charges of unethical conduct, formal hearing on same, introduction of evidence, the form of the final decision, provisions for appeal, and so forth." According to the provision, copies of all final decisions are to be forwarded to the Secretary of the State Board of Education. If a teacher has been found by the

committee to be guilty of unethical conduct, the committee may recommend to the State Board of Education the cancellation of the certificate of said teacher. The code further provides that, where cases of unethical practices are not brought before the committee on formal charges or complaints, the County Code Committee investigate rumors of any such conduct first. In case the county committee fails to act, the duty of the investigating of the rumor would then fall to the district committee, and in the event it takes no action, the state committee is to assume charge.

Miscellaneous Code Provisions

It will be impossible to include in this analysis every provision made by every code. There are some provisions in the various codes, however, while not lending themselves very easily to classification, seem of sufficient note to warrant consideration.

In a general way several of the codes make some recommendation concerning the character of the teacher and his conduct in the community. To be a little more specific, the code of Colorado says that a teacher should show by his own life that education does ennoble. The Pennsylvania code seems to be the only one which mentions democracy in the development of the school plan. That section of the code reads:

The superintendent should be recognized as the professional leader of the school system. Each member of the system should be given opportunity to collaborate in the solution of professional problems; but when a policy is finally determined, it should be loyally supported by all.

The Louisiana code contains an admonition which is not found in any other code. It is that the business of faculty meetings should not be discussed on the outside. The statement concerning the use of the teaching profession as a stepping stone, quoted from the Colorado code, finds acceptance in the codes of Ohio, Alabama, and Louisiana, but is challenged by Lee Thurston.¹ The statement reads:

Members of the teaching profession should dignify their calling in every way. The teacher should encourage the ablest to enter it, and discourage from entering those who are merely using the teaching profession as a stepping stone to some other vocation.

A provision which no other code makes is found in the Ohio code and reads: "As individuals or groups teachers have a right to protest against injustice, but the important public nature of their service renders any recourse to a strike or walkout indefensible." The codes of Louisiana, Colorado, and Alabama specify that due notification be given by school officials and teachers when a change in position is to be made. The Pennsylvania code carries with it one other provision which seems to be important enough to merit consideration. This provision, which says that a

¹Lee M. Thurston, "The Wrong and the Right of It," Nation's Schools, XIX (April, 1937), 24.

teacher should refrain from all political activity in connection with the election of school board members except that of casting his ballot, is not found in the code of any other state.

CHAPTER V

SUMMARY AND CONCLUSIONS

Summary

The questionnaires and communications received in connection with this problem were studied for the purpose of obtaining data for evaluating the codes. The codes were examined in order that they might be analyzed.

An evaluation of the codes was made according to the criteria derived from the data on the questionnaires and in the letters, which data included: (1) the method of formulation of codes; (2) the time spent in preparing codes; (3) the number of revisions; (4) the method of enforcement; and (5) the mode of dissemination.

The codes were analyzed by means of ascertaining what principles or declarations were common to the greatest number of codes, then the rules for conduct clarifying these principles were grouped according to their relationships, and the frequency of occurrence of these rules in each code was determined.

Conclusions

A study of the problem reveals that:

1. Only two states, Michigan and Alabama, have met the criterion in the method of formulation of codes.

2. Five states -- Pennsylvania, Mississippi, Michigan, California, and Nebraska -- used sufficient time in preparing their codes. The other states used one year or less.

3. The Pennsylvania code has had two revisions, the codes of Alabama, Louisiana, Oklahoma, Nebraska, Washington, and Mississippi one revision each, and those of the other states included in the study, none.

4. Eight states -- Pennsylvania, Michigan, Louisiana, Colorado, Alabama, Mississippi, Missouri, and Oklahoma -- have made provision for some machinery to enforce their codes. The machinery is ineffective in most instances. Acceptance of the code is voluntary in the other five states.

5. The mode of dissemination of codes is generally not effective, Pennsylvania being the only state in which the code is taught in teacher-training institutions. Occasional publication in the official magazines of the associations is the means used by Mississippi and Washington for publicizing their codes. The other states employ additional means, those used by Alabama probably being the most effective. The mode of dissemination used by any of the states is not of sufficient effectiveness.

6. The Texas Code of Ethics has been replaced by that of the National Education Association. It did not meet any of the criteria for an effective code.

7. The code of the National Education Association

meets fairly well the standards for an effective code.

8. Codes are of two types, those in which principles for conduct are paramount and those which contain almost entirely specific rules for conduct.

9. The codes are in agreement on a large number of principles.

10. Some codes reflect local conditions.

11. Every state should adopt a state code, for it will meet the needs of individual states more effectively than the national code.

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