

Vol II Issue IV Oct 2012

Impact Factor : 0.1870

ISSN No :2231-5063

Monthly Multidisciplinary Research Journal

Golden Research Thoughts

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IMPACT FACTOR : 0.2105

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RNI MAHMUL/2011/38595

ISSN No.2230-7850

Indian Streams Research Journal is a multidisciplinary research journal, published monthly in English, Hindi & Marathi Language. All research papers submitted to the journal will be double - blind peer reviewed referred by members of the editorial Board readers will include investigator in universities, research institutes government and industry with research interest in the general subjects.

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Ethical Code for Teaching Profession in Relation to RTE Act– Ideology and Practice

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Abstract:

Much paper has been wasted over the debate – whether teaching is a 'profession' or not. We may hesitate to call teaching a profession if we judge it with the parameters of the professions like Law or Medicine. Rather teaching is a service to humanity with a mission of moulding the minds of the millions. Teachers are devoted to the noble service of 'making-of-man'. When taken as a profession, teaching reflects a high degree of academic excellence and practical wisdom in one hand and a well-integrated value-system on the other – both oriented towards altruistic service. Like other professions, therefore, teaching should have a set of ethical codes to follow. As per the recommendations of NPE 1986 and POA 1992, the NCERT had developed the code of ethics for teachers in 1997. To make the RTE Act 2009 a success, as well as to keep up the prestige of their noble profession, teachers should abide by this code. This paper attempts to highlight some areas where the norms as laid down in the code are being flouted and some measures to mend those lapses.

KEYWORDS:

Teaching, RTE, profession, Professional Ethics.

INTRODUCTION:

The teaching profession has undergone a sea - change from the Gurukul system to the present Macaulay system of education. However, the image, a society holds about teachers, has not changed. Teaching is now a 'profession' rather than a 'passion' and thus there is a paradigm shift in the perception of teachers. (Lindsey 2007) The crux of the issue is: to meet the demand with necessary quality and commitment towards the profession. Every profession is accountable to society. To be a profession in the truest sense of the term, teaching has to lay down norms of behaviour for teachers. At the same time, it has to guarantee that these norms are followed. Academic freedom bestowed upon teachers is premised upon the societal responsibility that teaching profession carries. Teaching involves unquenchable thirst for knowledge and its transmission to future generation. Teachers are model to their clients – namely the students – who are highly impressionable. The public image and standing of teachers will surely improve if the code of ethics meant for teachers are followed properly. The Right to Free and Compulsory Education (RTE) Act 2009 encompasses a gamut of educational issues. Its successful implementation begs attention towards many issues including the clarification of teaching standards, norms and ethics. Anticipating the need for such a guiding document, for the first time in the nation's history, the code of ethics for the teaching fraternity has been published by the government. The National Council for Teacher Education (NCTE) created this draft document with a belief that –“...like all other professions, the teaching profession should

Please cite this Article as :Md. Nijairul Islam and Aniruddha Chakraborty , Ethical Code for Teaching Profession in Relation to RTE Act– Ideology and Practice : Golden Research Thoughts (Oct. ; 2012)

also have its Code of Professional Ethics which is a pre-requisite to ensure its dignity and integrity. It is also significant that the Right of Children to Free and Compulsory Education Act, 2009 entails on teachers some onerous professional responsibilities to be internalized by them in the performance of their duties.” (NCTE, 2010, p. 6)

Accordingly, it is considered necessary that the Code of Professional Ethics be evolved and adopted by the teaching community. The [NCTE Code of Professional Ethics and Code of Conduct](#) is applicable to all teachers, be it in public or private arenas. The document asserts that as in the cases of Medicine or Law, teachers too need ethical standards and should be bound by clear codes of conduct. NCTE goes as far as to recommend registration of persons qualified to become teachers. Moreover, initial teacher's candidate must furnish an oath stating that they will observe this Code in letter and spirit. (NCTE, 2010, p.11). This policy clearly signifies a shift in the perception of professionalism and the profession of teaching. The government understands that the successful enactment of RTE would be impossible without the support of teachers' personal ethical standards and high professional expectations. Additionally, since self-perception influences teachers, it is very important to “enhance the dignity of their professional work”.

TEACHING AS A PROFESSION

A profession is the main source to earning bread and butter of an individual. Profession implies acquisition of knowledge, skill and practical training in some specific field and their application in the service of humanity. Among other characteristics, a very important one is that a profession sets up its own professional organizations the members of which follow a clearly defined code of conduct and ethics. A profession professes to do two important things; – serving its clients with top most efficiency and making the relevant service its prime motive. Earning trust of the clients is essential in a profession. What warrants such trust is the obligation, upheld within the community of professionals, to pursue the ethics of service and to employ special knowledge and expertise in the interest of the clients.

Now the debate continues till date as to whether teaching in our country is a profession. If so, to what extent teaching does conform to the basic characteristics of a profession like Law, Medicine, etc? In every profession the most important feature is that a professional person must have appropriate license to render appropriate services to the clients. Does an Indian teacher practise teaching after gaining license from appropriate controlling authority? It is known that in Germany, USA or in UK a teacher must have teaching license to teach as a permanent teacher. Of course, today, some appropriate authorities like University Grants Commission (UGC), National Council of Educational Research and Training (NCERT), All India Council of Technical Education (AICTE)-- etc are rendering some indirect control over teachers at appropriate levels of education in India. But such control mechanisms are not strong enough to ensure professionalism of teachers. Most of the control mechanisms generally are linked to recruitment and promotion. They do not bother much when the question of observing the code of conduct and professional ethics of teachers arises.

Teaching is a 'paradoxical' profession. Of all the professions, only teaching is expected to create the human skills and capacities that will enable individuals to survive in today's knowledge society and develop the capacities for innovation, flexibility and commitment to change that are essential to economic prosperity of a nation (Hargreaves 2003).

Teaching is a dynamic, demanding and rewarding profession. Each classroom is a microcosm of our large communities and within that space, the hopes and aspirations for our future prosperity are cultivated. There is constant interplay in a classroom between individual knowledge, experiences, learning styles, social relationship and curricular goals. It is the teachers' ability to integrate these variables that create daily opportunities for success. In addition to deep content knowledge, teachers should know how to motivate, inspire and challenge their students so that they move beyond the comfort of performing acceptably and into the power of accomplishing excellently. Planning lessons, analyzing student work and progress, collaboration with other teachers, and enhancing one's own knowledge - all require work beyond the school bell's ring. Teachers should reflect upon their instructional practices and consider the needs of their students on a constant basis. For all these, teachers should be dedicated to their profession.

National Curriculum Framework, NCTE, 2005 observes – “Teaching is a profession and teacher-education is a process of professional preparation of teachers.” Therefore, strict observance of code of ethics and an indomitable urge for personal excellence should be the hallmarks of this profession.

THE NEED OF ETHICAL CODE FOR TEACHERS

The difference between the Code of Conduct and the Code of Professional Ethics needs to be appreciated. As far as the provision of the Right of Children to Free and Compulsory Education Act, 2009 is

concerned, particularly with reference to Section 24 of the Act pertaining to duties of teachers, enforcement of the Code of Conduct is perhaps the answer. This enforcement is the responsibility of the appointing/disciplinary authority. However, the provisions which define the Code of Conduct could also be incorporated in the Code of Professional Ethics, as making them obey these ethical provisions will always desist teachers from violation of the Code of Conduct. Like all other professions, the teaching profession should also move towards self-regulation, which implies that every teacher should have the inner urge to adhere to the ethical principles listed in the Code of Professional Ethics for teachers. However, in spite of the expectation of the voluntary observance of the Code, some cases of violation of the Code or of partial adherence to it are likely to occur in the vast system of school education. Therefore, a suitable mechanism needs to be evolved to ensure that all members of the profession follow the ethical principles enshrined in the Code.

A code of conduct sets out principles of action, standards of behaviour or how the members of a group will work. On the other hand, a code of ethics may be aspirational in tone, stating the ideals of the profession and emphasizing the value that guides its members. Great support exists in developing guidelines for professional ethics, including UNESCO and ILO with their recommendations concerning the status of teachers. “Codes of ethics or conduct should be established by the teachers' organizations since such codes greatly contribute to ensuring the prestige of the profession and the exercise of professional duties in accordance with agreed principles.” (Fredriksson 2004)

“The teachers are represented as principled figures, entrusted with moral authority, able to make sense of change, and in doing so, can help students to make sense of change. The code of ethics stresses the public duties and moral commitment of teachers as public employees entrusted by society. This trust requires teachers to adhere to a moral code of conduct where true professionalism is guided by high ethical standards” (Vongalis and Macrow, 2007). The National Commission on Teachers in India urged teachers to “scrutinize their own value-system” and impose severe restriction on themselves so as “to raise the profession to the highest moral level” and earn ‘the most honourable place’ in society. (NCT, 1985)

SALIENT FEATURES OF RTE ACT, 2009

In August 2009, the Indian Parliament passed the historic Right of Children of Free and Compulsory Education (RTE) Act, 2009. The new law must be seen from the perspective of children. It provides a justifiable legal framework that all children between the ages of 6-14 years have right to an education of reasonable quality, based on principles of equity and non-discrimination. It provides for children's right to free and compulsory admission, attendance and completion of elementary education. More importantly, it provides for the child's right to education that is free from fear, stress and anxiety. There are several provisions in the Act in favour of the learners, for example, provisions prohibiting corporal punishment, detention and expulsion which need to be fore-fronted to ensure that we move towards a system that, as the National Policy on Education states, provides “a warm, welcoming and encouraging approach for children to learn” (NPE'86/92). The most important aspect, however is to ensure that the teaching-learning process is free from stress and anxiety. The RTE Act also lays down the responsibilities of teachers. Teacher accountability systems would need to ensure that children are learning and that their right to learning in an environment that is free from stress and anxiety is not violated.

THE NCTE AND THE DRAFT CODE

In pursuance of the recommendations of the National Policy on Education (NPE) 1986 and POA 1992, the National Council of Educational Research and Training (NCERT) in collaboration with teachers' organizations, such as AIPTE, AISTF and AIFEA, had come up with the Code of Professional Ethics for Teachers in India in 1997. In the context of the present exercise, the Committee constituted by the NCTE reviewed this code keeping in view the context of the relevant sections of the Right of Children to Free and Compulsory Education (RTE) Act 2009 which have a bearing on the duties and responsibilities of teachers. A committee of eminent educationists, constituted by the National Council for Teacher Education (NCTE) reviewed this code – keeping in view the provision under section 24(1) of the Right of Children to Free and Compulsory Education (RTE) Act, 2009. Valuable suggestions from all the stakeholders of education across the country and from the UNESCO also helped in finalizing the document. In the preface of the draft, Prof. M.A. Siddiqui, the Chairperson, NCTE, states – “Ideally the Code of Professional Ethics, should be prepared by the professional organizations of teachers themselves as it is their responsibility to ensure its observance as a self-imposed discipline on the part of their members. The NCTE had prepared this document as a facilitative mechanism for professional bodies of teachers to use it as a template for discussion amongst them, make any amendments, if necessary, and adopt it to give dignity to their

profession.”

The review committee, headed by the former director of NCERT, A. K. Sharma, has drawn up the three-tire-code, listing the obligations of teachers towards students, parents, society and colleagues. In its preamble, the code urges teachers to help every child to develop with his fullest potential and talent and to inculcate in him the noble values of democracy, equality and secularism. The 23 –point- code is a clear guideline for teachers how they should discharge their duties to make the future citizens of our land.

The preamble of the Code of Professional Ethics addresses three areas of focus – obligation towards students, obligation towards parents, community and society, and obligation towards profession and colleagues. It is an obligation of teachers to treat every child equally, and without prejudice. The NCTE fleetingly addresses the changing classroom composition (a consequence of RTE) – impartial attitude, belief and non-discriminatory practices towards all students should be ingrained in the school practices. The teachers, personal belief pattern on caste, religion, sex, economic status, language and place of birth, if not in conformity with Constitutional tenets will severely affect the equity fabric of the classroom.

THE AREAS OF LAPSES IN OBSERVANCE OF THE CODE

“Like all other professions, the teaching profession should also move towards self – regulation, which implies that every teacher should have the inner urge to adhere to the ethical principles listed in the Code of Professional Ethics for Teachers. However, in spite of the expectation of the voluntary observance of the code, some cases of violation of the code or of partial adherence to it are likely to occur in the vast system of school education” (NCTE – code of Profession Ethics for School Teacher, 2010). Certainly some loopholes do exist in observance of this code. Now let us consider the following areas where, we think, such lapses are found –

Every child has a fundamental right to education of good quality, as the RTE envisages. But most of the government-aided schools in rural India present a shabby picture when we judge the quality of education imparted to the learners in those schools. It is found that the five grade learners can not read a sentence in their mother-languge correctly. About their performances in the second language, the less said is the better. Their numerical ability also hints at poor state of affairs as they fail to do simple additions that they should have done at two grades earlier stage. It is not that all the learners are unable to understand what is taught in a particular class. But when majority of them fail to touch the targeted learning objectives, the teachers can not shirk their responsibility in this regard.

No doubt, the teacher will take care to know the individual difference of the learners in respect of their interest, ability and cognitive structure and help them develop according to their potential. But he should rise above his personal belief and idiosyncrasies and treat all the learners under his supervision equally - irrespective of their caste, creed, religion and socio-economic-political background. Sadly, teachers have not been able to purge themselves totally off the narrowness like class consciousness, parochial bias and sectional interest.

India is a land of diverse culture that should be inculcated in the minds of the learners, so that they grow into balanced personality with respect for the motto of 'unity in diversity'. But racism and provincialism of teachers is a bar to inspiring the learners with the concept of composite culture of our land and a sense of national unity.

School is a miniature of society. Its environment should be so developed as to reflect the hopes, aspirations and intimate bond that exist in society at large. No school can develop unless the surrounding community is involved in academic efforts undertaken by the school. For that, a close involvement with social activities on the part of the teachers and learners is necessary. But today's teachers are being cut off from the social milieu due to self centeredness. They also fail to motivate the learners to be involved in social activities.

Teachers should be the citizens of that ideal world 'where the mind is without fear and the head is held high.' But what we see in reality is a section of teachers whose lack of quality and blind obedience to different political camps are lowering their self esteem.

A teacher should be a life-long learner. He should constantly update his skill, knowledge and ability, keeping with the ever changing world. In this age of globalization, knowledge and skill are in constant flux. Teaching is going to be a challenging profession in this age of liberalization and privatization. A teacher should build himself fit enough to cope with this age of knowledge explosion. But it is generally found that

once recruited to schools, a majority of teachers put a full -stop to their academic career. Naturally their life long thirst for professional excellence gets blunted.

We are living in an age of cultural aggression by the developed countries. Utter consumerism is sweeping everybody off their feet. Teachers also, being a part of the community, have not been able to keep themselves off the all devouring sentiment of consumerism. This is taking a heavy toll on their moral dimension.

RTE Act, 2009 strictly bans physical, mental and emotional harassment of students. Teachers should refrain from subjecting any child to fear, trauma, anxiety and punishment of any kind. Any act involving sexual abuse of child is strictly prohibited. Teachers should have respect for the basic human dignity of the child in all aspects of school life. But what is seen in practice is quite different. The news of child abuse and lowering the esteem of pupils before their classmates in rather inhuman processes, frequently hit the headlines of newspapers.

All teachers are now under private tuition ban. Needless to say, a section of teachers, from primary to the university level, is involved with this malpractice.

Educational rights of the children with disabilities have been recognized in the RTE Act. But this provision is grossly neglected as either teachers lack necessary skill and training to impart them teaching though necessary strategies, or feel indifferent to their needs. As per census 2011, 1.48% of the learners under the age group of 6 – 14 years are disabled learners. If teachers do not take care for the learning of these 'special' children, how can the ideals of RTE Act succeed?

THE REMEDIES TO MEND THE LAPSES

Suitable mechanisms must be devised and implemented to put the erring teachers back on the right track. The following suggestions may be considered in this respect:

As proposed by the NCTE, every pass-out teacher should be the registered as a bona fide practitioner of the profession and license will be issued to him by the registering authority. SCERTs under the supervision of NCTE should act as registering authority. At the time of his appointment to the job, a teacher will be put on oath for following the Code of Professional Ethics. In case of his deviation from the code, his license should be revoked. Unless this provision is worked out, the code will remain only on paper.

NCTE also mooted to form a three-tier-ethics committee – at school/block level, state level and national level. The committee will consist of senior teachers and parents at the first level, representatives of teachers' organizations, parents and educationists at the second level and National Commission for the Protection of Child Rights along with parents and educationists at the third level. These committees should be empowered enough to take strict disciplinary actions against any case of violation of the Ethical Code – even suspending the erring teachers if the case demands. (NCTE – Code of Professional Ethics for School Teachers, 2010)

The Code should also contain a section on rights of teachers since in more senses than one, rights and responsibilities are inalienable. (AIFUCTO Papers, 1976)

“In order for individuals to make the right choices in the moral sense, requires that the ethical standard or Code guides and inspires individuals to act in an ethical manner. To achieve this end, the statements of the Code must be based on the premise that teaching is a moral enterprise. These statements will then serve as a catalyst for ethical discussion for teachers.” (Campbell, 2001)

Successful implementation of the code requires workshops on ethics and rights of the educators – down from primary level to university level, distribution of handbooks among teachers about the code, government statement to back-up the code and collaboration with national, institutional, local and individual stakeholders of education. (Nuland, 2009).

South Africa, Nigeria, Scotland, Canada, Australia and many other countries have established regulatory agencies or colleges of teachers that determine teacher – registration and adherence to the Code of Ethics. (ibid) We may follow them in this respect.

Better incentives for rural teachers, improved service condition and salary-structure, attractive career-improvement opportunities – may increase teacher accountability.

Steps should be taken on an emergency basis to maintain ideal student-teacher ratio (30:1) in the classrooms.

Commercialization of education should be prevented. Reservation of school access as per RTE'09 should be firmly maintained.

Special literacy scheme should be taken up for child labours and children with disabilities.

Uniform school structure should be implemented in all States and Union Territories in India.

Self-evaluation tools by teachers should be devised to make the code self-imposing.

While recruiting a teacher, his knowledge in child psychology, pedagogy, depth in subject as well his moral and ethical dimensions should be evaluated.

Awareness of RTE act 2009 should be increased among the teachers especially elementary school teachers.

Increased awareness of the ethical principles governing the teaching profession is essential to ensure 'professionalism' among teachers. The Code of Professional Ethics for teachers provides a framework of principles to guide them in discharging their obligations towards students, parents, colleagues and community.

Codes of Ethics or Conduct will not work unless – “there are effective means of communication, clear sanctions for violating the codes, consistent enforcement and top level support.” (Chapman, 2002)

CONCLUSION

The plurality of India's classrooms is a reality, and due to the RTE Act, these schools will continue to become more pluralistic in the years to come. As students are encouraged to learn from each other's diverse background, the duty of the teacher to facilitate these interactions take prime importance. By the enactment of NCTE Code of Professional Ethics and Code of Conduct, the professional expectations of teachers will be manifold. He or she is required to juggle the numerous stakeholders such as parents, students, and colleagues in a manner that requires an understanding of each person's background, culture and characteristics. Teachers will have to shoulder the grand responsibility of discharging their professional role in all academic and co-curricular activities and be an active part of building a culture of culture. In addition to the ethical expectation of teachers to be unbiased and learner-centric in their teaching, NCTE stipulates that teachers must ensure that the 'composite culture' of India is nurtured among the students. In the proper implementation of this principle, teachers need to undergo training and deepen their understanding of not only content knowledge, but of Indian culture, religions, languages etc, along with the ideology of what NCTE has vaguely termed as 'composite culture'. Even though NCTE recognizes this diversity, is it fair to expect teachers to understand diversity of cultures from across a country as large and varied as India? Is this a feasible endeavor for teacher education programs?

Children's Right to Free and Compulsory Education will ever remain a distant dream if the teaching community fails to abide by the values envisaged in the Code of Professional Ethics. They have to understand that nearly 30% of our children are still left out of school campus. Gross enrolment ratio in our country is yet to pick up at all levels of education. To take the education to the masses, teachers must take the onus of being sincere in their duties on themselves. In this gentlemanly profession, they have to discharge their responsibility through wise yet stern self-discipline. It will benefit both the teachers and the nation.

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