

Code of Ethics for Professional Teachers

(As presented by Atty. Joseph Noel Estrada at the CEAP NatCon 2017,
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Sub-track 1, Session 2)

Who is Your Favorite Teacher? What comes to mind? Just one word.

Please complete the sentence:

I like my teacher because he/she is_____

The usual answers I get whenever I ask this question are smart, pretty, hardworking, and so on.

As most people think about their favorite teachers, "ethics" probably does not enter their minds. Very few people would say, "I liked that teacher because she is ethical."

But ethics is a critical element in teaching and plays an important role in a teacher's personal and professional life.

A teacher's ethical stance will govern how he or she instructs and assesses students.

Ethics also plays a role in how a teacher interacts with students, with colleagues, with administrators and with the community at large.

While ethics may not be the first consideration in identifying our favorite teachers, we see the manifestations of a teacher's ethical stance in the qualities that endear them to us.

Let us take a look at some of them:

"Being physically fit, pretty or handsome teacher"

It is not a matter of choice but a duty. Not only to yourself but to the State and the Filipino people.

In the interest of the Filipino people and the country, every teacher shall be physically fit. (Art. 2, Sec. 3, Code of Ethics for Professional Teachers or "CEPT")

A diligent teacher, hardworking, never complains.

Art. II. Section 4. Every teacher shall possess and actualize a full commitment and devotion to duty. (CEPT)

Fairness in grading-

Art. VIII, Sec. 6. A teacher shall base the evaluation of the learner's work only in merit and quality of academic performance. (CEPT)

As Catholic teachers, it is important for you to identify the role that ethics plays in your profession.

It is also critical that you begin to reflect on whether the ethical responsibilities of teaching align with your personal belief structure and values.

Teaching can be a difficult profession.

It requires not only competence from teachers, but equally important is that they are required to be moral exemplars in and out the classroom.

Morality in Teaching.

Being a teacher is itself a moral endeavor.

Teaching is inherently moral.

This is the most compelling reason why moral work of teaching in education cannot be avoided.

In this era of K to 12 where the myopic focus is on raising standardized test scores on crowded curriculum, there is a need to bring back the enthusiasm on morality in teaching.

This is a call to focus on the ethics and morality in teaching, a renewed vigor for teachers to be role models and exemplars to our students.

In Jose S. Santos Jr. vs. NLRC [**G.R. No. 115795. March 6, 1998**]

Teachers must adhere to exacting standards of morality

Teachers must adhere to the exacting standards of morality and decency. There is no dichotomy of morality. A teacher, both in his official and personal conduct, must display exemplary behavior.

He must freely and willingly accept restrictions on his conduct that might be viewed irksome by ordinary citizens. In other words, the personal behavior of teachers, in and outside the classroom, must be beyond reproach.

Teachers must abide by a standard of personal conduct which not only proscribes the commission of immoral acts, but also prohibits behavior creating a suspicion of immorality because of the harmful impression it might have on the students. Likewise, they must observe a high standard of integrity and honesty.

Thus, when a teacher engages in extra-marital relationship, especially when the parties are both married, such behavior amounts to immorality, justifying his termination from employment.

(Rene Puse v. Ligaya Puse, GR No. 183678, March 15, 2010.)

Good moral character is a continuing requirement.

In one case, a professional teacher on the belief that his wife was already dead, married another. Such second marriage while his marriage to his first wife was still subsisting is clearly immoral and unlawful.

In the practice of his profession, he, as a licensed professional teacher, is required to strictly adhere to, observe and practice the set of ethical and moral principles, standards and values laid down in the aforesaid code.

It is of no moment that he was not yet a teacher when he contracted his second marriage. His good moral character is a continuing requirement which he must possess if he wants to continue practicing his noble profession. In the instant case, he failed to abide by the tenets of morality.

Consequently, it is but stating the obvious to assert that teachers must adhere to the exacting standards of morality and decency. There is no dichotomy of morality. A teacher, both in his official and personal conduct, must display exemplary behavior. He must freely and willingly accept restrictions on his conduct that might be viewed irksome

by ordinary citizens. In other words, the personal behavior of teachers, in and outside the classroom, must be beyond reproach. Accordingly, teachers must abide by a standard of personal conduct which not only proscribes the commission of immoral acts, but also prohibits behavior creating a suspicion of immorality because of the harmful impression it might have on the students. Likewise, they must observe a high standard of integrity and honesty.

REQUIREMENT OF MORALITY EXTENDS OUTSIDE THE SCHOOL HOUSE GATES.

Morality in the Community

“Every teacher shall merit reasonable social recognition for which purpose he shall behave with honour and dignity at all times and refrain from such activities as gambling, smoking, drunkenness, and other excesses, much less illicit relations.” Art. III, Section 3, CEPT.

Standards of Morality to be followed.

As Catholic school teachers, we adhere to the teachings and tenets of the Catholic Church. The standards of morality to be exacted from teachers should be the religious standards of the Catholic Church.

This holds true despite the ruling in the case of Cheryl Santos Leus vs. St. Scholastica’s College, where the SC said, ---

“When the law refers to morality, it necessarily pertains to public and secular morality and not religious morality.”

simply because the person involved in this case is not a teacher.

But to be sure, the school should be explicit in **communicating** to the school community its standards of morality and not simply state in the handbook as a ground for termination, “disgraceful and immoral conduct”.

This is where the Philippine Catholic School Standards or PCSS becomes significant in the operation of our schools. It documents the Catholicity of our educational institutions.

It provides that the basis of our school policies is our belief in Christ and the teachings of the Catholic Church. Please note that when the basis of policy is religious belief, it is beyond scrutiny of the courts.

Let us look at other Ethical standards in different aspects of being a teacher.

Teaching is not a business:

Pia vs. Gervacio GR No. **G.R. No. 172334**

When the teacher sells "Organization Development Research Papers" at a price of P120.00 per copy, in violation of Section 3, Article X of the Code of Ethics for Professional Teachers, which reads:

No teacher shall act, directly or indirectly, as agents of, or be financially interested in any commercial venture, the business of which is to furnish textbooks and other printed matter, stationery, athletic goods, school uniforms, and other materials xx

Selling of books directly to students is immoral because of the teacher's moral ascendancy over the students, that the book is overpriced, and that refusal may result to failure in the subject.

"special projects"

(Anita Salavarria vs. Letran College G.R. No. 110396. September 25, 1998)

In one case, the second year students in the Religion classes requested if they could initiate a special project in lieu of the submission of the required term papers. The students explained that the project consisted in collecting contributions from each of them, which amount shall be used to purchase religious articles such as Bibles, chalice, crucifix and similar items to be distributed among the several churches in Metro Manila and nearby rural areas. Furthermore, they claimed that in doing so, it would involve them in charity work in connection with their lesson on "Love of God and Neighbor" and that such activity would entail a much lesser expense than the completion of the term papers. After continuous proddings, petitioner was finally prevailed upon to accede to their proposal.

In upholding the dismissal of the teacher from her employment, the SC said that “xxx regardless of who initiated the collections, the fact that the same was approved or indorsed by petitioner, made her "in effect the author of the project."

It hardly needs reminding that, in view of their position and responsibility, those in the teaching profession must demonstrate a scrupulous regard for rules and policies as befits those who would be role models for their young charges.

Section 4. A teacher shall not accept favours or gifts from learners, their parents or others in their behalf in exchange for requested concessions, especially if undeserved. (CEPT)

“borrowing money”

“Borrowing money is neither dishonest, nor immoral, nor illegal, much less criminal. (Medical Doctors, Inc. [Makati Medical Center] v. NLRC, 136 SCRA 1 [1985]) However, said act becomes a serious misconduct that may justly be asserted as a ground for dismissal when reprehensible behavior such as the use of a trust relationship as a leverage for borrowing money is involved.”

Section 2. A teacher shall maintain a good reputation with respect to the financial matters such as in the settlement of his debts and loans in arranging satisfactorily his private financial affairs.

Ethics in dealing with students

"a teacher shall not inflict corporal punishment on offending learners."

Clearly then, petitioner cannot argue that in punching Bang-on, he was exercising his right as a teacher in loco parentis to discipline his student

(Pat-Og Sr vs. CSC G.R. No. 198755 June 5, 2013)

George Bongalon vs. People of the Philippines, GR 169533, March 20, 2013

“Not every instance of the laying of hands on a child constitutes the crime of *child abuse* under Section 10 (a) of Republic Act No. 7610.

Only when the laying of hands is shown beyond reasonable doubt to be intended by the accused to debase, degrade or demean the intrinsic worth and dignity of the child as a human being should it be punished as *child abuse*. Otherwise, it is punished under the *Revised Penal Code*."

Ethics in the Profession

Every teacher shall uphold the highest possible standards of quality education, shall make the best preparations for the career of teaching, and shall be at his best at all times and in the practice of his profession.

Best at all times. Not beast.

Security of tenure cannot be used as a shield for incompetency.

Ethics of the Teacher as a Person

Section 3. A teacher shall maintain at all times a dignified personality which could serve as a model worthy of emulation by learners, peers and all others. (Art. XI, CEPT)

Teachers should avoid being, "Notoriously undesirable"

This used to be a ground for termination of employment under the Manual of Regulations but was removed when it was revised in 2010.

But case law still holds that being notoriously undesirable is a ground for termination of employment under Serious Misconduct under the Labor Code.

San Luis vs. CA [G.R. No. L-80160 June 26, 1989]

"the test of being notoriously undesirable is two-fold:

1. whether it is common knowledge or generally known as universally believed to be true or manifest to the world that petitioner committed the acts imputed against him,
2. and whether he had contracted the habit for any of the enumerated misdemeanors".

Section 2. A teacher shall place premium upon self-discipline as the primary principle of personal behaviour in all relationships with others and in all situations. (CEPT)

(Colegio de San Juan De Letran-Calamba vs. Belen Villas; G.R. No. 137795; March 26, 2003)

“Misconduct is improper or wrongful conduct. It is the transgression of some established and definite rule of action, a forbidden act, a dereliction of duty, willful in character, and implies wrongful intent and not mere error of judgment. Under Article 282 of the Labor Code, the misconduct, to be a just cause for termination, must be serious. This implies that it must be of such grave and aggravated character and not merely trivial or unimportant. Examples of serious misconduct justifying termination, as held in some of our decisions, include: sexual harassment xxxxxxxx”

Finally, lest we forget,

Section 1. A teacher is, above all, a human being endowed with life for which it is the highest obligation to live with dignity at all times whether in school, in the home, or elsewhere. (CEPT)

As human beings, teachers are not infallible, they also commit mistakes. But what is important is how we strive every day to be the better version of ourselves as we continue with our mission, with our *communio*.

Thank you once again good afternoon.

xxxEndxx