



BY PAT HUTCHINGS

COMPETING GOODS

Ethical Issues in the Scholarship of Teaching and Learning

For the past five years, my colleagues and I at The Carnegie Foundation for the Advancement of Teaching and the American Association for Higher Education (AAHE) have been undertaking a national effort to develop the scholarship of teaching and learning (see Carnegie Academy for the Scholarship of Teaching and Learning, or CASTL, in Resources). Pedagogical scholarship has a history in most academic fields—and sometimes a cadre of people who are specialists in it. But for many faculty members, the scholarship of teaching and learning is new terrain.

They may, for instance, be excellent teachers but not have treated their classrooms as sites for systematic inquiry; they may be experts in their fields but uncertain about how to use disciplinary concepts and methods to examine teaching and learning. Indeed, the very idea of documenting and sharing what goes on in the classroom—a core principle of the scholarship of teaching and learning—is new to most faculty.

Pat Hutchings is vice president of The Carnegie Foundation for the Advancement of Teaching. Much of her work over the last five years has focused on the scholarship of teaching and learning, a centerpiece of Carnegie's work. Before coming to the foundation in 1998, Hutchings served as a senior staff member at the American Association for Higher Education (AAHE), where she directed the Teaching Initiative.

Not surprisingly, the scholarship of teaching and learning also presents ethical issues that are new to many. For instance, is it necessary to have permission to use samples of student work in the scholarship of teaching and learning? If so, what kind of permission is appropriate, and how should it be secured? Must the project be approved by the Institutional Review Board (IRB) that monitors work with human subjects? *Are students human subjects?*

The scholarship of teaching and learning calls on higher education to “make teaching community property” (in Lee Shulman’s much-quoted phrase), but what are the appropriate boundaries between public and private? Who owns what goes on in the classroom? Who benefits and who is at risk when the complex dynamics of teaching and learning are documented and publicly represented?

That such issues should arise is not to suggest that something is amiss in the scholarship of teaching and learning. On the contrary. Attention to ethics is something we expect as a field of study or practice evolves. The way the field frames and thinks about ethical issues reflects its character, in both senses of the term—its self-concept and its animating values. So it is with the scholarship of teaching and learning. Ethical issues are not simply occasions for caution but windows into our aspirations and values as educators.

ETHICAL DILEMMAS AND COMPETING GOODS

In order to explore the ethical issues faced by scholars of teaching and learning, I invited seven faculty members who have participated in Carnegie’s initiative (“Carnegie Scholars”) to write case studies about an ethical issue or issues they confronted in their work. These studies are collected in a 2002 Carnegie publication, *Ethics of Inquiry: Issues in the Scholarship of Teaching and Learning*, along with responses to each case from three individuals who bring different perspectives to bear (see Hutchings in Resources). Although the cases contain a rich variety of particulars, three issues surface again and again.

Sharing student work. In applying to the Carnegie Scholars Program, faculty propose an investigation not only about their teaching but about their students’ learning. Indeed, it is difficult to imagine a useful scholarship of teaching that does not engage deeply and thoughtfully with evidence about student learning. But not surprisingly this focus is also what first raises ethical flags for many scholars of teaching and learning: If I am investigating my classroom practice, I may want to show examples of my students’ writing, include samples from students’ portfolios in my own course portfolio, or show videotapes of students’ project reports.

At one level, this is pretty unambiguous territory: If I want to use student work in scholarship that will be shared with others, I need to have student permission. But exactly how, when, and under what conditions to seek that permission is less clear.

Thinking about these questions has been central to the work of California State University-Monterey Bay faculty members David Takacs and Gerald Shenk. As Carnegie Scholars, Takacs and Shenk focused on how their students “use history” in political-action projects required in the course they team teach on the social and environmental history of California.

“We subscribe to the feminist aphorism that the personal is political,” Takacs points out. “And so we ask—require—that students put themselves into their work.” Such a course requires trust between faculty members and students, and Takacs has worried “whether students will trust us if they know that we might ‘use’ their work to further our own scholarship.” Though they don’t pretend to have resolved this issue, Shenk and Takacs have devised an approach that begins to address the issues raised by using student work.

For one thing, they are straightforward with students about their purposes and intentions. The course syllabus announces their intention to study the course, and from day one they talk with students about what they are planning to do. The issue is seen as one of communication and trust, not simply of “getting permission.”

That said, they have also worked hard to find a right way to secure that permission. The form they developed in consultation with the campus IRB aims to provide students with choice and safety: the students can give permission either to have their work used anonymously or with attribution, or they can deny permission. A student volunteer collects the forms and Takacs and Shenk see them only after grades are submitted.

But this remains tricky territory. As Takacs and Shenk report, “We’re still feeling our way through this.” How free do students feel to say no? Even if permission is not sought until after grades are turned in, might a faculty member not have power over the student at a later point—in a subsequent course, for in-

stance? And how “informed” is student permission when even the faculty member may not know exactly in what forms and contexts the work will eventually be shared?

There are issues, too, about the role of students in the scholarship that comes out of the class. Might they not be collaborators rather than “subjects” whose permission and informed consent must be secured? This is in fact where Takacs and Shenk wind up, thinking about how to “move from a model of students as subjects to students as collaborators.” Such thinking is familiar, certainly, in qualitative research circles today, though as scholars in such circles will attest (see, for example, Kirsch in Resources) this shift creates its own problems.

Choosing methods. A second set of ethical issues arises around the choice of research methods and design. Consider, for example, the work of Cleveland State statistics professor John Holcomb, whose scholarship of teaching and learning has focused on his use of real-world data sets that help students learn to “actually do statistics.” Given the methods and

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values of his field, Holcomb first thought of comparing the new and more traditional approaches using a control-group design that statisticians find credible and familiar. As he refined his plan and talked to Carnegie Scholars in other fields, however, Holcomb began to wonder if that design was the right one. There was, for starters, a practical difficulty: Control-group conditions are notoriously difficult to enact in the complex world of the classroom.

But even if the practical problem could be overcome, he was not sure a control group was appropriate. He could conduct an assessment of the statistical skills the students in the experimental class were developing, but he was not sure “whether it would be ethical to require students from a traditional course to perform in a way that they had no preparation for.” He worried, too, about the ethics of subjecting a group of students to an approach he no longer felt confident in or enthusiastic about. Ultimately he chose not to employ a control group but to look very carefully at whether students were meeting his goals for the new approach.

Holcomb’s story illustrates how closely issues of method are intertwined with matters of purpose and values. Choices about method and research design, whatever the context, are almost inevitably value laden, implying judgments about what is important, right, and ethical.

To put this a different way, Holcomb is struggling with the potential tension in such work between the roles of teacher and scholar of teaching. Commenting on another case in the Carnegie publication, University of Missouri philosophy professor Peter Markie proposes “an intuitively appealing principle” for dealing with this tension:

The class is a class first and a research laboratory second; the students are students first and research subjects second. Under this view, any change in course design or content to promote a research goal should be subject to the condition that it at least not detract from the educational value of the course.

Markie’s principle is appealing, though in some sense it begs the question, since part of the point of the scholarship of teaching and learning is that we don’t always know what will be most educationally powerful for students.

The Ethics of Bad News. My mother was not, I assume, the only one to admonish her children, “If you can’t say something nice, don’t say anything at all.” But sometimes, of course, we are obliged to do just that, as is illustrated by the work of James Seitz, a faculty member in the Department of English at the University of Pittsburgh, whose career has focused extensively on the scholarship of teaching and learning.

Several years ago, Seitz began a study of literacy. Arguing that investigations of teaching and learning cannot focus exclusively on successes or feature only the best examples of student work, Seitz rejected the “standard narrative” in which, “at

the beginning of the semester, students were struggling...then the teacher helped them see the light...and now, as evidence of how far they progressed, the teacher offers a sample of student writing that displays notable accomplishment, thereby demonstrating the success of the teacher’s pedagogy.”

In contrast, Seitz realized, his study would require the display and analysis of “inadequate” student writing, “writing that would be shared, not because of its accomplishment, but because of its failure.”

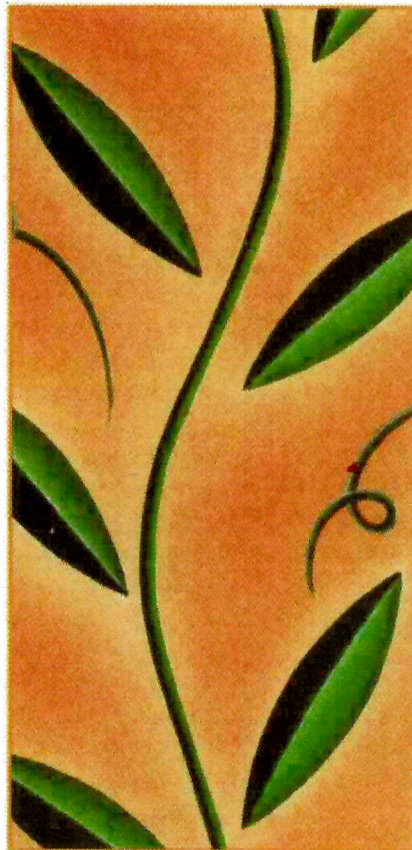
This stance raises several issues. At one level, Seitz (along with Takacs and Shenk) was concerned about students’ privacy and power: Had students known the context in which their work would be shown, would they, he wonders, have given permission? But he also faced a dilemma about the consequences of his work in the wider public sphere—what Thomas Newkirk calls “the ethics of bad news” (see Mortensen and Kirsch in Resources). Might his representation of teaching and learning, though aimed ultimately at improving student literacy, contribute to the “endless river of publications” that bemoan the state of literacy, demean students, and undercut our work as educators?

In short, Seitz puts into the picture a whole host of ethical issues about the impact of the scholarship of teaching and learning on the public perception of and support for education. This issue is, if you will, a cousin to the concern campuses have about sharing assessment data that raise questions about the effectiveness of their educational programs. The willingness to be public about such information is arguably a condition for improvement; at the same time “bad news” in the wrong hands can be bad news indeed. If Holcomb’s case illustrates the intersection of methodological and ethical issues, Seitz’s opens up the connection of ethical and political issues.

All three of the cases summarized here (and the others in the *Ethics of Inquiry: Issues in the Scholarship of Teaching and Learning* as well) show that scholars of teaching and learning face choices, not about right and wrong or complying with rules, but about balancing competing goods. What we see are faculty deeply dedicated to their work as educators, going beyond the usual call of duty to examine and investigate the complex dynamics of the classroom in order to improve students’ learning. In the process, they face what Helen Dale terms “dilemmas of fidelity” (see Mortensen and Kirsch in Resources), balancing the varied rights and responsibilities that pertain in the classroom and having to feel their way along in an area of work for which ethical norms and conventions are only beginning to emerge—and which will, after all, always be matters of judgment.

CAMPUS PRACTICES AND POLICIES

How individual faculty members think about these “dilemmas of fidelity” depends on several elements of context. A



first is the discipline: Psychologists and anthropologists, for example, will bring to bear their fields' principles for work with human subjects, ideas with which mathematicians and geologists may have no familiarity. A second is purpose and audience: Am I creating a course portfolio to share only with a small group of immediate colleagues, or writing a book on literacy that will be widely available? But a third very important context is campus practices and policies, and particularly the role of the Institutional Review Board in monitoring the scholarship of teaching and learning.

In fall 2001, I conducted an informal online survey of 114 faculty members participating in the Carnegie Academy for the Scholarship of Teaching and Learning about ethical issues they had personally grappled with in their scholarship of teaching and learning and about the campus context for dealing with them. Was there campus discussion about such issues? If the campus had an IRB, was it expected that scholarly projects on teaching and learning would go through the IRB process?

IRBs, as many readers will know, are the mechanism through which the federal government seeks to ensure that the research it funds is carried out in an ethical fashion. A campus

conducting federally funded research must establish and maintain an IRB to oversee ethical issues in keeping with the federal regulations. Although legally IRB authority extends only to federally funded research, institutions are also required to develop a mechanism for dealing with non-federally funded research. Thus, approximately 75 percent of the largest American research institutions have voluntarily extended the IRB system to all human-subject research (see AAUP in Resources), potentially including that which focuses on students and their learning.

Responses to the Carnegie survey (to which about half of the group responded) showed a clear trend toward involvement with the IRB. Approximately two-thirds of respondents from campuses that have such structures indicated that "it is now assumed on my campus that Institutional Review Board approval would be required" for such work.

As one person noted, "It used to be that...if you were doing research in your own classroom you didn't have to go through the Institutional Review Board. At about the time I got involved in the scholarship of teaching and learning, that changed." Given the high visibility of issues around research ethics in the last several years (the much publicized death of a young woman in a 2001 clinical trial at Johns Hopkins University comes to mind), I can only assume that the numbers have risen since then.

That said, the IRB process is not set in stone. Federal policy allows for exemptions for work "conducted in established or commonly accepted educational settings, involving normal educational practices," including studies of the "effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods" (see ohrp.osophs.dhhs.gov/humansubjects/guidance/45cfr46.htm online for more information regarding exempt research).

This would seem to describe much of the work currently being undertaken by scholars of teaching and learning. However, to be exempt, a project typically must be *declared* exempt. That is, it is up to the IRB, not the researcher, to declare the work exempt, which in turn means that appropriate paperwork must be filed and guidelines met. Often the review of projects on teaching and learning can be "expedited," meaning that the IRB chair or spokesperson can sign off on them. But given the volume of work facing such boards, expedited does not necessarily mean speedy. One Carnegie Scholar reports that an "expedited" review of her scholarship of teaching and learning proposal took several months.

Whether involvement in the IRB process is good or bad news for the future of the scholarship of teaching and learning is unclear. On the one hand, it provides guidance and protection for faculty inexperienced with such work: Several Carnegie Scholars report that consultation with IRB staff not only ensured compliance with regulations but improved the design of their investigations.

On the other hand, IRB regulations may be experienced as an obstacle. Indeed, a recent report from the AAUP, "Protecting Human Beings," argues that IRB procedures fail to take into account current "concepts and methods of research and standards of professional responsibility" in a variety of social science fields (see AAUP in Resources). In some sense, the scholarship of teaching and learning, though certainly not the exclusive province of social science, is a case of this larger is-

QUESTIONS FOR SCHOLARS OF TEACHING AND LEARNING (ADAPTED FROM *The Ethics of Inquiry: Issues in the Scholarship of Teaching and Learning*)

- How can your investigation be made educationally valuable for students? Might students be involved for instance by gathering and analyzing data?
- Whose consent, involvement, or collaboration will be required for the conduct of your project? How can roles and permissions be negotiated and renegotiated over time?
- What power relationships need to be taken into account in negotiating roles, permissions, and involvements by various participants in your work? Are there issues of gender, race, culture, and status difference that need to be taken into account?
- Does your campus have an Institutional Review Board (IRB)? What expectations exist about IRB review of projects in the scholarship of teaching and learning? If this is unfamiliar ground for you, where can you turn for information?
- What negative or embarrassing data can you anticipate emerging from your scholarship of teaching and learning, and who might be harmed as a consequence? How can you create a context for understanding "bad news"? How, in particular, can examples of work by students who are novices, or who are struggling with new material, be treated with respect?
- How can contributions to your work by various participants (including both colleagues and students) be acknowledged and/or cited, while maintaining appropriate confidentiality?
- Whom can you talk to about the above questions? How can you create occasions for discussion and reflection about them with colleagues?

sue. Thus, one important form of support that campuses can provide for scholars of teaching and learning is to assist them in negotiating an IRB process that is often not a good match with their purposes and methods.

At Indiana University Bloomington, for instance, a high-profile effort to promote and support the scholarship of teaching and learning (which recently won the TIAA/CREF Heshburgh Award) came up against an IRB policy that made approval for research on a professor's own classroom and students particularly difficult to obtain. In response, leaders of the campus scholarship of teaching and learning initiative have worked in partnership with the IRB to develop a new policy that is cautionary but legitimizing:

No matter how well intentioned the teacher is, students may feel compelled to participate, believing that failure to do so will negatively affect their grades.... The Committee recognizes, however, that in some research situations, use of one's own students is integral to the research.

This is particularly true of research into teaching methods, curricula, and other areas related to the scholarship of teaching and learning (see Indiana University Office of Research and University Graduate School in Resources).

The institution actively cultivates a dialogue among IRB members and scholars of teaching and learning so as to develop viable policies and procedures for research in this area. The IRB has clarified some issues regarding data collection by a third party, data collection by the instructor, and "problem practices." Further, the director of the scholarship of teaching and learning initiative serves as a facilitator of discussions between faculty and the IRB, helping faculty frame work in ways that meet IRB requirements and helping IRB members understand the work of scholars of teaching and learning. The scholarship of teaching and learning initiative has also developed its own Web page to demystify the process of obtaining approval to use human subjects (see www.indiana.edu/~sotl/humansub.html).

Like Indiana Bloomington, a number of other campuses have put in place structures and resources aimed at helping scholars of teaching and learning deal with ethical issues raised by their work. At Portland State University, faculty participants in the Scholarship of Teaching Resource Team serve as consultants to one another on a variety of topics, including ethical issues. At Purdue University, the Teaching Academy has taken active leadership in influencing campus policy on ethical issues in the scholarship of teaching and learning.

Acknowledging "increased scrutiny throughout the academy on research involving human subjects," participants in the multi-campus Visible Knowledge Project directed by Randy Bass at Georgetown University are contributing to a resource

kit that includes accounts of project members' experiences with the IRB process at their own schools.

NEW EXPECTATIONS AND COMMITMENTS

Efforts on campuses to clarify and streamline procedures are clearly a step in the right direction. But it may also be useful to see the ethical issues faced by scholars of teaching and learning in the context of a broader—and changing—landscape of teaching and learning.

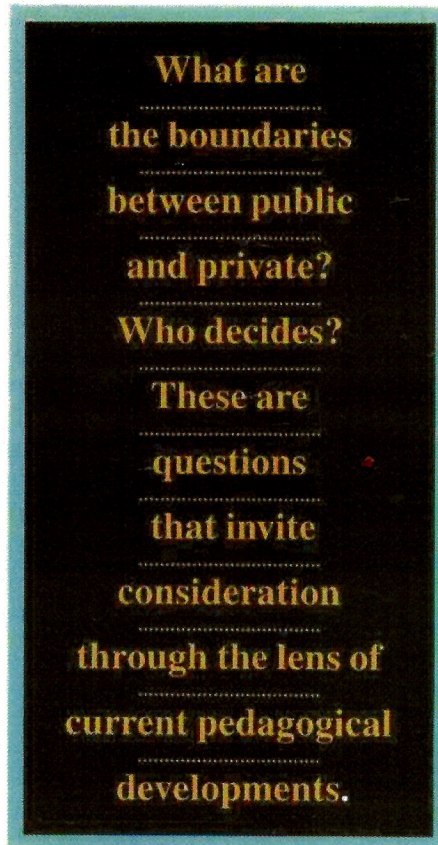
More public pedagogies. One of the fundamental tenets of the scholarship of teaching and learning is "going public"—that is, documenting and representing our work as teachers and our students' learning in ways that can be reviewed and built upon by our peers. But that apparently simple injunction contains significant challenges related to the status (public vs. private) of what goes on in the classroom.

Are the transactions among students and faculty members, and the work that students do in the classroom, a form of privileged communication, analogous to the work of a therapist or lawyer? Or are they, in Shulman's phrase, "community property"? What are the boundaries between public and private? Who decides? These are questions that invite consideration through the lens of current pedagogical developments.

In collaborative and cooperative learning, for instance, students are involved in one another's work as a community of learners, engaged in the collaborative construction of knowledge. The work in such classrooms is, in a very real sense, *public work*. Where that work also engages with outside communities, for instance through service learning, this shift from private to public is even more evident.

Similarly, technology pushes toward publicness. Students today routinely participate in course-based listservs; writing courses employ collaborative online writing software that allows students to see, comment on, and contribute to one another's writing process. In lieu of the traditional research paper, some faculty members now require that students work in groups to develop multi-media, hypertextual projects and exhibits that can be accessed not only by the students' teacher and classmates but by all Web users. In short, as Trent Batson and Randy Bass point out in a wonderful 1996 *Change* magazine article, "the four walls of the classroom may be breaking down more quickly than teachers had thought they would."

In such a context, issues of privacy, and therefore issues about the use of student work, may take on a different look. One might even argue that traditional ways of looking at and dealing with these issues are based on an out-of-date pedagogical model. Perhaps what's needed is a way of framing ethical issues in the scholarship of teaching and learning that acknowledges the newly transparent walls of the electronic classroom and other pedagogical developments.



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Students as co-investigators. A related theme pertains to the role of students in the knowledge building that is central to the scholarship of teaching and learning. Most of the faculty I have spoken with find it off-putting to refer to students as "research subjects." As one Carnegie Scholar noted, "For me it's more ethical to treat my students as co-investigators and collaborators, as I would any other scholar." In this sense, the scholarship of teaching and learning may be seen as a cousin to the undergraduate research movement—in which students work collaboratively with faculty and often with each other to investigate and build knowledge about important issues in the field.

Barbara Cambridge, AAHE vice president and director of CASTL's Campus Program, has been a vigorous proponent of involving students in the scholarship of teaching and learning, as a number of campuses have done. At Western Washington University, for instance, the campus decided that questions about teaching and learning were a proper and significant focus not only for faculty scholarship but also for student inquiry. The university created a special seminar for students interested in studying their learning, and the campus context for learning, that was almost immediately overenrolled. At Elon University the scholarship of teaching and learning includes faculty-student study teams working together on course-development projects.

In this spirit, the scholarship of teaching and learning might well be framed not as a particular kind of faculty research, with attendant methods and ethical guidelines, but as a commitment to a different role for students in shaping the education they are a part of. It is a way to make students more "intentional learners" who are purposeful and reflective, both about the use of their learning and the process of gaining it, as urged in the recent "Greater Expectations" report from the Association of American Colleges and Universities (see AAC&U in Resources).

There's an interesting next step in this logic. If students can contribute to the scholarship of teaching and learning (not simply serve as its "subjects"), we should perhaps be concerned not only about protecting their privacy but about acknowledging their contributions. "There is a longstanding practice among qualitative researchers to protect the identity and privacy of research participants," writes Cheri Williams (see Mortensen and Kirsch in Resources).

But the practice of preserving informant anonymity often presents perplexing ethical dilemmas for those who conduct ethnographies and case study research. While most researchers disguise participants' names and association to protect them from potential embarrassment or harm, this strategy also prevents participants from receiving recognition. It eliminates any opportunity for public acknowledgment or praise.

A number of scholars from composition studies (where the use of student texts in scholarly work is standard procedure) are avid about this; they argue that we have an ethical responsibility to acknowledge and cite student work as we would that of any scholar who contributes to our thinking (for examples see Gesa Kirsch's description of "multivocal texts" in *Ethical Dilemmas in Feminist Research*). This approach will appeal more in some fields than others and is not without its problems, but it offers a different lens for examining student priva-

cy. Students might well help shape our inquiries, contribute to the collection and analysis of data, and play important roles in interpreting and sharing results with various audiences, and they deserve credit for their contributions.

Professional responsibility and campus commitment.

Existing codes of ethics for teachers emphasize diligence in preparing for class, timely return of student work, respect for students, and other important elements of professional practice. The scholarship of teaching and learning adds to these teacherly responsibilities by calling on the scholarly obligations and commitments that come with the professorial role—that is, to seek knowledge, to share what our investigations uncover, and to contribute to the larger community of scholars and practitioners.

To put it differently, the scholarship of teaching and learning means approaching our students' learning with the same spirit of disciplined inquiry with which we approach other aspects of our scholarly work. What's at issue is an ethic of inquiry, a responsibility "to our professional peers to 'pass on' what we discover, discern, and experience" in working with our students (see Shulman in Resources).

This ethic of inquiry is an individual responsibility, but it presents a campus imperative as well. My colleague Mary Huber has just completed a study of four professors who have

successfully made the scholarship of teaching and learning a significant part of their careers, but stories to the contrary abound. We hear about faculty who invest time and effort developing and investigating new teaching approaches and then face a reward system that does not value serious intellectual work on teaching and an evaluation system which, if it considers teaching at all, typically looks only at immediate student satisfaction (which often drops for a time, when new approaches are tried).

In this sense, the scholarship of teaching and learning raises ethical issues for institutions as well as individuals. To what extent does the campus support and reward serious, sustained work on teaching and learning? How does the now-widespread talk about being learning-centered translate into policies that support the "ethic of inquiry" necessary to that paradigm shift?

The last decade has been a time of serious reexamination of faculty roles and rewards and of moves toward more substantive documentation and evaluation of teaching. The scholarship of teaching and learning is part of (and perhaps a further pressure on) this larger movement. The ethical issues it raises cannot be framed simply as issues of rule-following and procedure; they are part and parcel of larger shifts in our ideas about teaching, about students, *and* about the ways teaching and learning are valued, evaluated, and supported by campuses. ©