

ETHICS AND RESTORATIVE JUSTICE
SPRING 2025: RSJ 7350
Professor Stephanie A. Clark

SYLLABUS

Please access the course materials on CANVAS.
Additional materials will be posted there throughout the semester.

CONTACT INFORMATION

- Professor Clark sclark@vermontlaw.edu
- Email: preferred, and the official means of communication – please allow 24 hours for a response and understand I’m largely unavailable after 5:00. I check email as I am able, but still allow 24 hours for a response.
- Office: Waterman 206 (2nd Floor)
- Office phone: 831-1315

CLASS INFORMATION

- **Days:** T/Th
- **Time:** 11:20 – 12:35
- **Class Location:** Oakes Hall, Room TBD by Registrar

OFFICE HOURS

- **Tuesdays from 8:30 – 9:30 a.m.** Office Hours are on a drop-in basis, and often includes a small group of students. Individual meetings are also available by appointment for times outside of Office Hours. Please email to set up a time.

COURSE REQUIREMENTS & GRADING

1. Engaged classroom discussion is encouraged and expected. In our discussions, we will explore different value sets and moral philosophies. Please moderate comments to be respectful and courteous, especially when the discussion focuses on divergent thoughts and opinions.
2. Classroom attendance is required. Also, five (5) late arrivals will equal one (1) absence.
3. Please arrive on time and prepared.
4. Reading assignments and any additional course materials will be posted in Ethics and Restorative Justice Spring 2025 “RSJ7350” in Canvas.

5. The final course grade is based on a final paper and presentation, journal entries due throughout the semester, participation, and other classroom assignments. The final grade may be adjusted up or down based upon the quality of classroom participation.

COURSE DESCRIPTION

This course provides a brief review of various professional ethical codes of conduct and analyzes existing tensions between professional codes of conduct and a restorative approach to harm and conflict. Students will review philosophical origins of ethical thought, learn about the role of professionals and the importance of ethical frameworks for professionals, and analyze a series of ethical dilemmas across a number of disciplines. Drawing upon philosophical underpinnings students will analyze and explore how to discern a proper path in complex ethical situations.

COURSE OBJECTIVES

6. Summarize and interpret basic professional ethical canons and codes of conduct.
7. Distinguish the unique role of professionals in our society.
8. Examine and contrast ethical obligations in professional codes of conduct with restorative and/or “moral” responses to specific fact scenarios across professional disciplines.
9. React to ethical issues in a journal tracking thoughts and observations, and identifying and discussing any shifts in the student’s reactions throughout the course.
10. Justify in writing the significance of multiple points of view regarding ethical dilemmas.
11. Determine the appropriate responses to complex ethical problems.

ACCESSIBILITY

We encourage students with disabilities, visible or hidden, to seek appropriate accommodations. Discussions regarding accommodations are confidential. The VLGS student handbook authorizes me to make some accommodations, but others may require an additional request. Please visit the accommodations page within the [Academic Success Program](#) to seek more information and contact the Vice Dean for Students. Accommodation resources are not retroactive, so please inform us as early as possible if you need accommodations. We will provide reasonable access in line with the [Disability Policy](#).

OTHER POLICIES

All student handbook policies and procedures apply to this course. For more information about student academic and institutional policies, read the [Student Handbook](#).

READING

Martin, C., Vaught, W., and Solomon, R. (2017). *Ethics Across the Professions*, Second Ed., Oxford University Press. [At all times referenced as “Ethics”]

Edited by Zehr, H. and Toews, B. (2010), Critical Issues in Restorative Justice, Lynne Rienner Publishers. [At all times referenced as “Critical Issues”]

ASSIGNMENTS

CLASS	ASSIGNMENT	AGENDA
WEEK 1		
Class 1: 1/14	<p>Ethics: pp 2 – 12 “The Professional Organization” Henry Mintzberg, & “The Professions” Michael D. Bayles</p> <p>Be prepared to discuss:</p> <ul style="list-style-type: none"> • What are key differences between a machine organization and a professional organization? • What are three unique features of a professional organization? • What is one ethical facet unique to professional organizations (for example, a fiduciary duty)? • Give an example of a blurring between a scholarly professional and a consulting professional. 	<p style="text-align: center;">Welcome!</p> <p style="text-align: center;">Overview of Professions and Professional Organizations</p>
Class 2: 1/16	<p>Ethics: pp 61 – 68 “On Ethical Relativism” Walter Stace & “On the Good Life” Aristotle</p> <p>Be prepared to discuss:</p> <ul style="list-style-type: none"> • Why is it important to understand professional organizations in the context of ethics? • Who is represented, or not, in the reading? • What is an absolutist point of view? What is a relativist point of view? Are either restorative? • How are Aristotle’s theories on happiness more progressive from an ethical point of view than either theory discussed in Stace’s article? <p>Journal DUE: What does “professionalism” mean to you?</p>	<p style="text-align: center;">Ethical Relativism and Morality</p>

WEEK 2		
Class 3: 1/21	<p>Watch Video: Genetically Modified Twins Read: MIT Technology Review</p> <p>ASSIGNMENT DUE NEXT CLASS: Lie Tracker Poll [in Canvas]</p>	Case Scenario
Class 4: 1/23	<p>Ethics: pp. 170 - 180 “A Brief Introduction to the Morality of Deception” Clancy Martin Lie Tracker Poll</p> <p>Be prepared to share poll results and to discuss the different types of deception introduced in the reading.</p> <p>Journal DUE: Reflect on your personal moral point of view. Do you naturally tend toward an absolutist approach, or relativist approach?</p>	
WEEK 3		
Class 5: 1/28	<p>Read: AMA Code of Medical Ethics: Principles of Medical Ethics and Preface & Preamble [link]</p> <p>ABA Model Rules of Professional Responsibility: Preface and Scope [link]</p> <p>“Walking the Talk” Susan Sharpe, pp. 1-22: [link]</p> <p>Be prepared to discuss:</p> <ul style="list-style-type: none"> • The foundation(s) of ethical structures, paying attention to purpose, scope, and language. • What strikes you as being important in drafting an ethical framework for a profession? Why? <p>ASSIGNMENT DUE NEXT CLASS: Creative Expression – of an ethical guideline or value [in Canvas]</p>	Intro. to Structures of Professional Ethics (Canons and Codes of Conduct), & “Restorative” Ethics: Building an Alternative Structure
Class 6: 1/30	<p>Ethics: pp. 246-252</p>	

	<p>Be prepared to discuss:</p> <ul style="list-style-type: none"> • Trust and integrity, and to explain what Lynn McFall describes as coherence and importance as they relate to integrity. • What role, if any, do unconditional commitments play in determining moral identity? • Is there, or should there, be a distinction between one’s personal moral identity and one’s professional moral identity? Why or why not? 	
WEEK 5		
Class 9: 2/11	<p>Read: Ethics Framework from SCU – Used with permission from the Markkula Center for Applied Ethics at Santa Clara University [link]</p> <p>Read: Susan Sharpe, pp. 23-44 [link]</p> <p>Be prepared to discuss:</p> <ul style="list-style-type: none"> • Multiple sources of ethical standards, and the “RATE” approach to building an ethical framework. <p>In class case study</p> <p>Journal DUE: Reflect on what trust means to you, and whether a breach of trust can ever be overcome. If overcome, do you think you could forget? Have you ever breached someone’s trust? If applicable, do you think differently now about how that person may have responded at the time?</p>	<p>Restorative Ethics: Building a Framework</p>
Class 10: 2/13	<p>Ethics: pp. 394-399 “Caring for Risky Patients: Duty or Virtue?” Tom Tomlinson</p> <p>Final Paper / Presentation Proposals DUE</p>	<p>Intro. to Physician Ethics: Risky Patients & Final Paper- Presentation Topics DUE</p>
WEEK 6		

Class 11: 2/18	<p>Ethics: pp. 263-271 “A Defense of Unqualified Medical Confidentiality” Kenneth Kipnis,</p> <p>Listen to NPR: The Line Between Confidentiality and Public Safety: [link]</p>	Physician Ethics: Confidentiality
Class 12: 2/20	<p>Read: AMA Code of Medical Ethics Opinion No. [8.9]</p> <p>AMA Journal of Ethics Article [in Canvas]</p> <p>DUE: One prepared question for next week’s guest speaker.</p>	Physician Ethics: Case Scenarios
WEEK 7		
Class 13: 2/25	<p>Guest Speaker: Physician Ethics</p> <p>Journal DUE: What are your thoughts and concerns about confidentiality and public safety? Would you want to know if a catastrophic event was going to happen – like an enormous meteor striking Earth? Is there value in not knowing?</p>	Guest Speaker
Class 14: 2/27	<p>Read: ABA Model Rules [link and assign portions]</p> <p>ABA Model Rule 1.6 - Confidentiality of Information [link]</p> <p>Ethics: pp. 24-34 “Lawyers as Professionals: Some Moral Issues” Richard A. Wasserstrom</p>	Intro. to Lawyers Ethics; Confidentiality
WEEK 8		
SPRING BREAK – NO CLASS		
WEEK 9		
Class 15: 3/11	<p>* PLEASE NOTE: This is a true case and the details are disturbing, especially as retold in the first five minutes of the Radiolab podcast.</p>	Attorney Confidentiality:

<p>Class 20: 3/27</p>	<p>VI., and Chapter 10 [excerpts provided in Canvas]</p> <p>National Association of Social Workers (NASW) Code of Ethics Preamble, Purpose, Principles, and Standards: [link]</p> <p>Values and Ethics in Educational Administration: [link]</p> <p>Journal DUE: The Judicial Benchbook at section 10.4 states most jurisdictions do not require a judge to report a crime by a participant (for illegal drug use, for example) that the judge learns about in the treatment court context. How is this ethical?</p>	<p>Social Work and Ethics in Education</p>
<p>WEEK 12</p>		
<p>Class 21: 4/1</p> <p>Class 22: 4/3</p>	<p>Guest Presenter [reading TBD / will be posted in Canvas]</p> <p>Child protection case scenarios [in Canvas]</p> <p>Journal DUE: Reflect on what you think are barriers to using a restorative approach in a traditional juvenile justice model. How does confidentiality help or hurt in these cases?</p>	<p>Child Protection (cont.): Guest & Case Scenarios</p>
<p>WEEK 13</p>		
<p>Class 23: 4/8</p> <p>Class 24: 4/10</p>	<p>Read: [in Canvas] Critical Issues, Chapter 23 “What is the Role of Professionals in Restorative Justice?” Carsten Erbe, pp. 293-302.</p> <p>Critical Issues, Chapter 17 “What are the Implications of the Growing State Involvement in Restorative Justice?” Carolyn Boyes-Watson, pp. 215-226.</p> <p>Read: [TBD – Guest Presenter]</p>	<p>RJ as a Social Movement: Ethical Considerations</p> <p>Governance and Ethical Leadership</p>

	Journal DUE: What are your thoughts on today’s political leaders, and whether they are “good” from a moral standpoint? What is the role of morality in governance?	
WEEK 14		
Class 25: 4/15	Read: [TBD]	Governance and Ethical Leadership (cont.)
Class 26: 4/17	Course Evaluations	Class Presentations
WEEK 15		
Class 27: 4/22	Presentations 1.25 hours (5 presentations)	Class Presentations & Closing Circle
Class 28: 4/24	Presentations (if needed) Closing Circle	

See you soon!