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品格教育培養

服務機關:國立成功商業水產職業學校

職 稱:教師兼導師

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派赴國家:紐西蘭

出國期間:96年12月20日至97年04月18日

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內容摘要:

品格教育是教育的趨勢,一九九八年聯合國教科文組織召開「面向二十一世紀研討會」中曾特別指出,道德、倫理、價值觀會是二十一世紀人類面臨的首要挑戰。紐西蘭將誠實、尊重、互助的美德融入課程中,並由體驗課程實際與社區人士互動學習,灌輸學生良好的傳統價值,並於生活中實踐之,卻有值得台灣學習效法之處。

在紐西蘭品格教育雖未單獨設科,但學校營造良好的學習環境, 教師善用日常學習與遊戲時間導入品格教育,學生在潛移默化中學習 負責與尊重…等價值,教導過程中不用說教方式,學生容易接受;一 旦學生有優異表現 (非侷限於課業上),校長在集合時間公開表揚,而 且精心設計獎勵卡,獲得表揚的學生都感覺非常光榮,良善的行爲也 願意保持,同時亦能使其他學生有見賢思齊之感。

家長與學校充分的配合,是品格教育能成功的另一個重點。學校 除了定期的家長會外,也創造機會讓家長可以參與學校的活動,在學 校老師與家長互相配合之下,學生都能展現良好的品性與合乎社會規 節的行為。

關鍵詞:品格教育、體驗課程

壹、前言

品格教育是教育的趨勢,一九九八年聯合國教科文組織召開「面向二十一世紀研討會」中曾特別指出,道德、倫理、價值觀會是二十一世紀人類面臨的首要挑戰 (周慧菁,2003)。因此,各國教育的重點紛紛著重在形塑品格高尚的好公民; 在企業界亦有相同的看法,企業負責人眼中成功的要素,第一是人格特質,第二才是學業表現 (陳雅玲,2003),強調人品比人才重要。 高希均教授說:「沒有人,不能做事;沒有人才,不能做大事;沒有人品,不論做什麼事,都是壞事。」事實如此,從台灣理律員工盜賣顧客股票案、美國恩隆 (Enron)前高級主管假帳風波、到日本西武集團前會長謊報股東資料進行內線交易,一連串的醜聞弊案,都是知識份子品格操守有了嚴重瑕疵,造成公司與社會的動盪。面對新世紀的挑戰,培養學生高尚的品格情操,當爲刻不容緩的重大議題。

我國一向注重品格倫理道德的涵養,然而面臨全球化的衝擊,社會變化快速,台灣社會正面臨嚴重的道德沉淪危機;當前社會充斥著貪污、欺騙、扭曲事實的風氣,價值觀嚴重扭曲。2003 年11 月天下雜誌進行國中小學的老師、家長的大調查,結果顯示,八成以上的家長老師,認爲台灣社會的品格越來越壞;七成以上的家長老師,認爲中小學品格教育遠不及十年前。有鑑於正確價值觀重建的迫切需要,教育部在2003年9月召開「全國教育發展會議」,將「提升學生心理健康,建構新世紀品格教育」列入議題;並而在全國教育會議檢討之後,成立「品格及道德教育工作小組」,並且研擬「品德教育促進方案」(教育部,2003);期望能夠加強教師們對於品格道德教育的認識,爲品格教育繁根;2004年2月召開「研商品德教育促進方案會議」,主張品格教育應融入各項課程及教學中,落實評鑑機制督促學校落實品格教

育,加強師資職前品格教育及教師在職進修,結合民間資源共同推動品格校園;此外,教育部也在2006年 9月召開諮詢會議廣徵各界意見及檢討各校實施品德教育的策略方法,正著手修正「品德教育促進方案」(教育部訓委會,2006)。因此培養學生良好的品格和正確的價值觀,是學校教育當前重要的教育目標之一。

當台灣社會深陷道德沉倫危機風暴之中,遠在南半球的小國一紐西蘭,在世界經濟論壇與瑞士洛桑國際管理學院的《世界競爭力報告》中,政府的廉潔與透明度卻總是高居世界排行榜首或榜眼,工黨的海倫·克拉克(Helen Clark)在接受天下雜誌記者專訪時表示,在紐西蘭人們不會爲了致富,或給自己的家族帶來好處而從政,這是公共服務,也是紐西蘭社會的基本價值觀(狄英、藍麗娟、馬岳琳,2006)。 紐西蘭將誠實、尊重、互助的美德融入課程中,並由體驗課程實際與社區人士互動學習,灌輸學生良好的傳統價值,並於生活中實踐之,確有值得台灣學習效法之處。

紐西蘭 Marist School (Herne Bay) 是一所小型的小學,位於奧克蘭地區;學校有特別的品格教育融入學校生活中,並且創造團結如家人般的精神。學生、教職員與家長們有一種強烈的歸屬感與榮譽感。教師與學生培養良好的師生關係,教師亦將尊重、關懷、禮貌、互助合作等品格教育內容融入課程中,學生在課堂上都能有良好的表現(ERO,2004);因此,本研究擬瞭解 Marist School (Herne Bay)其品格教育實施之現況及其成效。

紐西蘭非常重視戶外的體驗課程,認爲體驗課程能將學習帶入生活中,因此規劃了 LEOTC (The Learning Experiences Outside the Classroom)的課程,學生從這些體驗課程中,將學習與現實結合 (Rivers, 2006)。品格教育並非只是課堂上的測驗,而應著重在日常生活的實踐,因此本研究擬瞭解 LEOTC 課程,將品格教育融合於其他學

科之規劃與執行,以及學生的學習成效。

在瞭解 Marist School (Herne Bay) 之品格教育的現況及其成效、 LEOTC 品格教育課程之設計、規劃與執行,期盼能獲得該國之經驗, 以爲將來台灣規劃品格教育課程之參考。

貳、文獻探討

一、品格教育(character education)的定義與內涵

品格(character)一詞,來自古希臘文 Charassein,其希臘字源的意義是雕刻、銘記、切割,引伸爲行爲的典型和道德的規範,指形塑良善的德行,好的特質必須持續的去模塑,進而展現出符合社會規範的行爲。

對於品格教育,專家學者各有不同的定義,Kohn (1997) 認爲品格教育是透過道德訓練的方式,將呈現正確的價值觀,並配合孩童的天性及學習方式有效的教學;Lockwood (1997) 則認爲品格教育是學校所倡導的,旨在與其它社會機構合作的活動,這些教育活動能夠產生行爲的非相對主義的價值觀,而直接塑造年輕人的行爲;國內學者黃德祥 (2003) 則認爲品格教育是教育學生,使之知善、期望善,以及行善、表現良好行爲,並內化成習性的歷程。總而言之,品格教育也是增進學生良好個人特質,使之知善、愛善、樂善的教育。

一九九二年國際品格教育聯盟集合心理學者、倫理學者、政界人士、教育界人士等各界菁英,分享有關品格教育的想法與研究心得,並試圖找出大家都能認同,而且要在家庭、學校、工作場所被教導的倫理價值;大會中決議「品格的六大支柱」(six pillars of character)爲:

尊重(respect)、責任(responsibility),公平(fairness)、值得信賴(trustworthiness)、關懷(caring)、公民責任(citizenship),作爲現代公民應培養的基礎品格特質(周慧菁,2004)。根據品格教育推展行動聯盟(2006)的闡釋,品格教育包括三個部分:「私德」的品德教育(強調是非善惡的判斷)、公民教育(強調「以民爲主」的基本認識與「服務大眾」的高貴情操),以及品格發展(強調培養「品格」的方法)(品格教育推展行動聯盟,2006)。

因此品格教育應是兼顧知善、樂善與行善的全人教育,它包括道德教育、公民教育、人格成長三領域(吳武典,2007),應注重學生品格認知、情意與行爲發展(黃德祥、洪福源,2004),並陶冶學生良好的社會行爲和個性,使學生能夠知道並實踐如何與人相處、如何面對問題(吳清山、林天祐,2005)。品格教育是藉由教與學的活動,使學生瞭解良善的品格,培養其高尚的品格,並於生活中實踐之,使其所作所爲合乎社會道德規範。

二、品格教育課程之實施

品格教育應能兼顧認知、情意與行爲實踐,也就是使個體能知善、愛善、行善。要引導學生建構正確的價值觀,如此才能因時制宜的作出合乎道德要求的判斷,有了正確的認知後,還要試著了解和接納社會的道德規範,並透過反覆的參與實際活動,讓學生的體驗更加深刻,進而養成良好的品格。品格通常必須透過教育或是學習的歷程來陶冶,促使個體在與人交往時能表現出健全的品格(張春興,1992),內化成習慣,藉由教學策略性指導來促進社會和個人責任感之增加,甚至形成良好的個人特質。

品格教育的課程實施,可藉由正式、非正式課程與潛在課程,增

強其多面向的教育目標,正式課程著重其認知層面,非正式課程則注重其行動層面,潛在課程則較注重其情感層面(李琪明,2004)。品格教育實施方案的設計,必須透過認知的過程,老師扮演學習楷模,建立一致的價值觀,還需加上家庭與社區的密切配合,讓學生把良善品格逐漸內化成爲人格特質的一部分,而實踐在日常的生活中(吳清山、林天祐,2005)。品格教育可透過各種不同的教學方法,不同的教學課程,經過討論、思考、體驗,內化形成價值,成爲人格的一部分而在日常的生活中實踐之;身教重於言教,老師、家長須以身作則,提供學生良好的學習典範,以落實品格教育。

品格教育在意義上並不侷限於特定的方法或哲理,而是廣泛的包含了各個面向,透過學校、家庭與社區三者的合作關係,強化學生道德認知、道德情感與道德實踐的能力。而美國品格教育協會(The Character Education Partnership,2003)提出十一項品格教育原則,提供給教育人員參考,茲如下所述:

- 1、教育是以良善的品格作基礎:學校與教師必須了解品格教育的重要性,將品格核心價值與觀念向家長與社區民眾廣爲宣導,強調品格對於個人認知發展和實踐公民義務的重要性。
- 2、品格必須廣泛的界定思想感覺與行為:要廣泛地界定品格,並提供多重的機會讓學生學習和討論。品格教育的核心價值不但應被理解,還要轉化爲行動以付諸實現。
- 3、有效的品格教育必須具有目的、正向與理解性的核心價值:品格教育的目標在使個體能從自我中心主義轉化爲人際合作與相互信賴,學校要提供結構性的品格教育課程,支持教師有效教學與適性評量,促進學生在學校生活中各層面發展核心價值,品格教育才能發揮作用。
- 4、學校是一個充滿愛與關懷的社區:學校必須是一個具有關懷的環境,以發揮形塑和促進正向品格特質的作用。學生在學校裡學習的對

象分別爲環境的境教和教師的身教,教師的言行舉止是學生的楷模, 學生感受到教師的愛、尊重與接納,而能尊師重道,才能在環境中潛 移默化,使學生行爲有效社會化。

- 5、爲了發展品格,學生需要有落實道德內涵的機會:教師應鼓勵學生將好品格視爲生活處事之要件,多用具有道德價值的語言交談,以及經常參與校內外的社區服務(如學生領導、社區服務、合作學習),在活動中實踐品格教育的核心價值。
- 6、有效的品格教育課程應包含尊重學習者並幫助其成功:品格教育課程是學生學習的部分,要融入學生的學習經驗,在各科的教學活動中,強調品格的價值,探討英雄人物的人格典範,鼓勵學生批判思考,以表達品格行爲之定義與感想。
- 7、品格教育應發展學生內在動機:品格教育要確保學生朝正向的品格發展,強調內化作用,教師應激勵學生重視自己對社會負責的觀念,減少外部懲戒,藉由悔過與反省,讓學生體會社會規範的意義。
- 8、學校教師必須成爲道德學習中心,和學生分享品格教育的責任, 堅持相同的核心價值:教育人員都要爲營造道德校園盡力,將合乎品格的行爲落實於日常生活中,讓學生模仿學習,發揮身教、言教的作用。
- 9、品格教育需要在教育上給予學生道德指導:學校對於具有優良行 誼之師生加以公開表揚,讓學校和社區成員皆能知曉,使師生具有更 高的道德使命感。
- 10、學校必須邀請學生家長共同參與品格教育: 學校延續家庭對子 女品格的教化作用,爭取家長參與,善用家長的想法,可使品格教育 具有更多的活力與動力。
- 11、品格教育的評鑑目的在於評估學生了解善良品格的程度:實施品格教育計畫須定期評估其進度、目標的達成,以及對學生、教師、學

校的影響。對於學生品格評鑑,以參與式觀察和質性評量爲主,以瞭解學生品格行爲的實踐程度。

上述的這十一條原則,不但是品格教育運動的思想原則,也是評論各式各樣品格教育活動的評鑑依據。品格教育必須要落實到學生的日常生活當中,學校必須要充滿關懷,教育人員對於品格教育也有應盡的責任。換句話說,就是教師在教育的情境裡,給予學生道德指導,使學生培養出良善的品格的歷程。

三、台灣實施品格教育之現況

我國於2001年開始實施九年一貫課程,有關品格教育的「公民與道德」從科目中消失,改以融入七大學習領域當中,遭受到許多學者的批評,認為在台灣傳統重視升學學科的氛圍下,品格教育的重要性更容易被忽略;李奉儒(2004)指出,現今九年一貫新課程將「道德」融入各學習領域的走向,此舉亦將對中小學生的品格教育產生直接的衝擊,倘若無適當的配套措施以及教師的正確體認,將嚴重影響青少年道德品格的發展,這是所有關心青少年教育者必須認真面對和思考的重要議題。

其實九年一貫課程中所強調的十大基本能力包括1.了解自我與發展潛能; 2.欣賞、表現與創新; 3.生涯規劃與終身學習; 4.表達、溝通與分享; 5.尊重、關懷與團隊合作; 6.文化學習與國際了解; 7.規劃、組織與實踐; 8.運用科技與資訊; 9.主動探索與研究; 10.獨立思考與解決問題(教育部,2004)。十大基本能力可分成三個面向:人與自己(一~三項)、人與社會(四~七項)、人與自然(八~十項),而人與自己、社會、自然的良性互動是品格教育相當重要的一環。

此外,九年一貫課程的六大議題有1.資訊教育旨在培養學生具備

正確資訊學習態度,包括創造思考、問題解決、主動學習、溝通合作、 終身學習的能力,並且懷抱科技時代的人文情懷,尊重自己及關懷他 人,具有健全社會價值觀與開闊世界觀的國民。2.環境教育是概念認 知和價值澄清的過程,藉以發展瞭解和讚賞介於人類、文化、和其生 物、物理環境相互關係所必需的技能和態度。瞭解生態學基本概念、 環境問題及其對人類社會文化的影響、與瞭解日常生活中的環保機會 與行動。3.性別平等教育,即是希望透過「教育」的歷程和方法,使 「兩性」都能站在公平的立足點上發展潛能,促進男女在社會上的機 會均等,而在兩性平等互助的原則下,共同建立和諧的多元社會。4. 人權教育的中心思想是不斷地探索尊重人類尊嚴和人性的行爲法則, 因此人權教育即是尊重、合作、公正、正義等觀念的教導,進而促進 個人權利與責任、社會責任、全球責任的理解與實踐。5.生涯教育應 該連貫幼稚園到成人階段,學校中生涯教育與輔導應有多元化的思考 角度,將生涯發展的概念融入教導及學習活動中,讓學生的視野從學 術世界延伸到工作世界,一併學習有關學術與職業的基本能力。6.家 政教育欲使學生從飲食、衣著、生活管理與家庭等家政教學活動中, 學習基本生活知能,體驗實際生活,增進生活情趣(教育部,2004)。 教師在課堂上,可適時的在各領域融入六大議題,這些議題是適應現 代生活所必備的條件,因此可透過六大議題來落實品格教育。

雖然九年一貫課程中並沒有將品格教育單獨成一個學習領域,但 教師可掌握九年一貫課程統整的概念,以及領域課程的精髓,重視品 格教育是日常生活教育一環的具體體現,而非僅靠課程與教材做知識 的灌輸,要讓學生在日常生活中親身實踐。因此教師在日常教學中除 了適時的將品格教育融入各領域,鼓勵學生做中學,讓學生在日常生 活與人際互動中實踐良好品德行爲。

四、紐西蘭之品格教育與戶外體驗課程

紐西蘭中小學一貫課程於2002年完成,課程強調生活情境融入教 學中 (陳清溪, 2006); 與品格教育較相關的課程是社會科學, 社會科 學的課程分爲五個主軸:社會組織、文化與傳承、地區與環境、社會 變遷、自然資源與經濟活動,以問題發掘、價值探索、決策方式進行, 教學目標是培養學生成爲有教養、自信與負責的公民;瞭解其與國家 社會組織互動時,其權利、角色與義務;瞭解紐西蘭多元文化與社會, 處於國際社會所應具備的國際觀、並瞭解攸關公眾利益之全球化相關 議題;以批判的思維看人類的行爲,探索不同的價值觀與觀點,並幫 助學生價值澄清與做正確的判斷 (New Zealand Ministry of Education, 2002)。價值觀的教育最主要強調八個基本價值,分別爲:誠實、仁慈、 關懷他人、同理心、服從、負責、責任;將八個基本價值融入現有課 程進行教學,教學以說理與舉例進行,並提供機會讓學生反思做出決 策; 教學不只侷限於課堂上,而在學校的校園文化中創造各種機會, 讓學生能從心靈深處與日常學習、遊戲和生活中去領悟,學習如何處 理人與人、人與環境的關係,懂得做人處事、應對進退的基本道理並 成爲社會的一份子,將知識、態度與行爲連貫,成爲知善、樂善、行 善的人,將良善的價值觀實踐於日常生活中。

體驗式學習主要的教育哲學及理論架構是整合自教育家杜威(John Dewey)的做中學(learning by doing)、社會心理學家黎溫(Kurt Lewin)的經驗學習圈(experiential learning cycle)以及心理學家皮亞傑(Jean Piaget)的認知發展論 (theory of cognitive development)等學者的理論,體驗式學習是將學習融入一個實際可能發生的情境,而有效的活動情境設計,學生不只覺得有趣,同時還能擁有新的經驗與學習。

紐西蘭的戶外體驗課程,獲得所有政府部門的支援與並監督課程

的品質,是提供融合式的課程,擴充學生的學習經驗;戶外體驗課程有三個良好的成效:有效的教學、家庭與社區的參與、提供優質的課程(New Zealand Ministry of Education, n.d.)。在生活教育與引導反思的過程中,融入品格的體驗,認識良好品格的重要性,這些真實生活的體驗有助其課堂的學習。

参、研究方法與步驟

研究的進行先從我國實施品格教育有關的研究資料搜集開始,研 讀與探討台灣實施品格教育的現況;再透過網路查詢紐西蘭教育部訂 定有關品格教育課程的規劃,及各大學教育學院所開設與品格教育相 關的課程;並參考台灣目前對紐西蘭教育所做的相關學術研究,初步 了解紐西蘭中學品格教育實施的現況及成效。

一、研究方法

主要的研究方法分述如下:

(一)、文獻分析法

爲了解品格教育的意涵及重要性,以下列文獻資料加以研讀、分析與整理:(1)我國實施品格教育的目標;(2)我品格教育的課程規劃;(3)我國品格教育的實施;(4)紐西蘭教育部訂定有關品格教育的目標;(5)紐西蘭品格教育的課程規劃;(6)紐西蘭品格教育的實施;(7)紐西蘭戶外體驗課程融入品格教育的課程設計與實施。再經由文獻探討,初步研究出適合我國社會與教育制度的品格教育模式。

(二)、實地觀察

依據研究目的,實地觀察 Marist School (Herne Bay)實施「品格教

育」之現況,觀察學生上課情形,包括互動情形、上課內容、作業內容等,以深入了解學生實際上課情形,並分析探討其特點。

(三)、訪談

訪談行政人員、教師與學生,藉由受訪者對話與訪談利用三角檢 測法與文獻資料相互檢證。

二、研究步驟:

- (一) 在台灣文獻蒐集研究
 - (1)我國實施品格教育的目標相關文獻資料蒐集。
 - (2)我品格教育的課程規劃、實施現況及成效資料蒐集。
 - (3)紐西蘭教育部訂定有關品格教育的目標文獻資料蒐集。
 - (4)紐西蘭品格教育的課程規劃、實施現況及成效資料蒐集。
 - (5)資料蒐集分析研讀。
- (二) 赴紐西蘭修課、文獻資料蒐集研究
 - (1)奧克蘭理工大學(Auckland University of Technology)教育學院選 修與品格教育相關之課程。
 - (2)紐西蘭品格教育之期刊論文,資料蒐集研讀分析。
- (三) 參訪紐西蘭教育機構、課程
 - (1)至奧克蘭理工大學(Auckland University of Technology)教育學院參訪,紀錄觀察心得。
 - (2)至 Marist School (Herne Bay) 參訪,紀錄觀察心得。
 - (3)參與 LEOTC 課程, 紀錄觀察心得。
- (四) 與紐西蘭教育機構人員、學生晤談:

- (1)與教育學院教授晤談,了解品格教育課程規劃現況與成果。
- (2)訪問教師,了解品格教育實施情形與成效。
- (3)訪問學生,了解其對品格教育課程之學習與成效。

(五) 著手資料分析:

- (1)瞭解「品格教育的意義與內涵」。
- (2)瞭解台灣品格教育實施現況與成效。
- (3)瞭解紐西蘭品格教育實施現況與成效。
- (4)瞭解紐西蘭 LEOTC 課程融入品格教育的規劃與執行。

(六) 撰寫研究報告:

- (1)撰寫、編排研究報告。
- (2)修訂研究報告。
- (3)送出版社印刷。

(七) 成效考核:

- (1)研究成果送相關單位審查。
- (2)經費核銷。

肆. 研究結果與心得

一、參訪學校簡介

Marist School (Herne Bay)是一所小型的小學,位於奧克蘭地區。 學校有強烈特別的品格教育滲入學校生活中,並且創造團結如家人般 的精神。學生、教職員與家長們有一種強烈的歸屬感與榮譽感。由負 責與認真規劃的教師教授課程,學生被相關有趣的課程啓發與挑戰。 學校有強烈的學習文化,就是支持學生成爲主動和熱情的學習者。尊 重和培養學生與同儕、教師與家長良好的關係,反映出特殊的特質。

課堂上的課程呈現出專注的教學與高度的鼓勵學生學習,學習的目標清楚明確,學生被鼓勵自我省思與審視自己的進步。課堂上的分組情形,學生有很多機會在小組中發表自己的看法,並學習和其他小組成員團隊合作,達成學習目標。教師擴大學生的學習範圍,透過優良的詢問方式鼓勵學生發展深入的批判思考技巧。透過課程的延伸,學生也可以省思自己的行爲是否符合社會的規準,並建立正確的價值觀。



• Marist School (Herne Bay)



● 這是一所很酷的學校

二、品格教育課程

在紐西蘭品格教育並未單獨設科,而是由課程融入教學方式。根據研究者的觀察,教師鮮少要求孩子死記死背道德規準,而是創造各種機會,讓孩子能從心靈深處與日常學習、遊戲和生活中去領悟,懂得處理人與人、人與環境的關係,懂得做人處事、應對進退的基本道理。在學校優質的環境氛圍下,學生自然而然表現出合乎社會規範的行為。以下是研究者觀察教師教學的心得:

(一) 在教室放置標語增強視覺之效果

在教室門口就有醒目的標語,規範學生的生活準則;而學校一再 強調,努力創造愛與關懷的學習環境,學生能發揮自己最佳的潛能與 特質。學生的規範敘述如下:

- 1.己所欲施於人。
- 2.讓參訪者感覺受歡迎。
- 3. 穿著正確的學校制服。

- 4. 尊重他人、財物與環境。
- 5.展現最優質的行爲規範。
- 6.展現你自己最佳的能力。
- 7. 將貴重的財物留在家裡,對自己的物品善盡保管之責。

Our Vision For Our Children

Through our influence, example and efforts we aim to:

Instil a love of learning and develop selfmotivated learners who reach their potential through a climate of continual improvement

● 學校的標語,希望提供孩子優質的環境

Marist School, Herne Bay SCHOOL RULES AND GUIDELINES 1. Do to others as you would want them to do to you. 2. Make visitors feel welcome. 3. Always wear correct and labelled school uniform. 4. Respect other people, property and the environment. 5. Maintain excellent standards of behaviour. 6. Work to the best of your ability. 7. Leave valuables at home and be responsible for your own property. Formulated by Marist Herne Bay School **Prefects**

● 學校所訂定的規則

(二)品格的示範

因 Maris school (Herne Bay)是所教會學校,學校藉由聖經故事,讓學生了解耶穌的仁慈與犧牲奉獻的精神。除了日常的宗教教育外,在每星期一次的集合中,由各班輪流上台表演聖經故事,藉由表演傳達良善的品格。學生在排練表演的過程中,體會什麼是良好的德性,比只有教師單方面的敘述,學生更容易了解;而在排練的過程中,學生培養了良好的默契,發揮團隊合作的精神,也學會互助關懷。



● 學生以戲劇表演的方式,傳達良善品格

(三)在公開場合加強學生對良善品格的認同



● 校長在晨間集合時,公開表揚表現良好的學生

在Marist school (Herne Bay)當同學有特殊優異的表現時,校長利用全校集合的時間,公開表揚讚許同學,校長常說:「Well-done! I am proud of you. (做得好!我以你爲榮)」,而上台領獎的學生也引以爲榮。就研究者觀察,上台領獎學生的優異表現,不只侷限在課業上,例如:禮貌、守秩序、具領導力,都是表揚的重點。當學生有好的表現,無論在教室或學校內,在學生同儕前讚美學生,能傳達品格教育的重要性,而且激發良善的品格;同時,當學生實踐良好的品格表現,家長與老師若給予孩子正向的鼓勵,將增強他們實踐力。所有的孩子都渴望被大人稱讚,當你稱讚他時,他會更加努力做你稱讚的事,使你繼續讚美他;久而久之,這個行爲便成了常態,他也視爲是自己的長處。

(四)尊重多元文化

毛利人因爲是當地原住民,所以學校中雙語並重,時常利用機會 教授毛利語。在學校中,除了白人、毛利人學生外,也有來自不同族 群的學生;因此,學校在設計活動中,也讓其他族群學生有機會展現 他們的文化。教師在開場介紹活動時,一再強調「這些學生很不簡單,除了英文之外,他們還了解其他的語言與文化,甚至能與勇敢的站在 台前與大家分享」。在同學介紹不同文化的同時,學生除了了解之外, 也能以開闊的心尊重不同的文化。





● 不同族群的學生穿著傳統服裝,介紹他們的文化

(五)活動中學習

在學校的學習情境中,學生學習如何尊重他人。例如教師清楚的 告訴學生,如果別人做出你不喜歡的行為,你要以強烈的語氣告訴別 人,「Stop! I don't like it. (停止,我不喜歡你所做的行為)」,當你聽到別人這樣告訴你,表示你已經做出別人不喜歡的舉動,要立即停止這樣的行為;如果學生還是繼續這樣的行為,將會被教師嚴厲的制止,並帶到教室反省自己的行為;如果仍然不聽勸阻將被帶到校長室,並請家長到校了解學生問題。就研究者的觀察,該校學生在教師的教導之下,都能學習尊重他人,不做出別人不喜歡的舉動,即使無意做出,在其他同學反應下也能立即改正。

在研究者觀察訪問期間,感覺該校師生與家長培養出家人一般的感情;例如:Mrs. Macandzee 老師的母親病重,正在醫院院接受開刀治療,校長利用集合時間宣布,並請大家一起爲 Mrs. Macandzee 老師的母親祈禱,希望他早日康復;Miss Lipscomb 老師即將結婚,全校學生做卡片祝福她;Miss Kelly 老師重感冒,請假在家休養,學生主動做卡片希望她早日康復,家長也對她表達慰問之意;Victoria 即將轉學,同學主動表達對她的思念,希望她在新的學校能過得愉快。學校師生相處融洽,學生在學校的情境中,發自內心主動關懷他人。



● 老師以生動活潑的方式,告訴學生如何尊重他人



● 老師利用時間,藉由說故事方式,向同學宣導品格的重要

(六)沒有班長的班級

根據研究者的觀察,在各班級中並沒有班長,而是早上由教師抽籤決定誰是今天的班長 (Star of the day),學生都很期待能當班長,當班長要排在隊伍的最前面整隊外,而且必須完成老師所交代的事,在訪談學生的過程中學生均表示非常期待當 Star of the day。

研究者:「你覺得當班長的感覺如何?(How do you feel to be Star of the day?)」

學生 1:「我喜歡走在隊伍的前面,我覺得自己很特別。 (I like to walk at the head of the line. It makes me feel I am special.)」

學生 2:「我喜歡幫老師做事,而且我能把老師交代的事情做好。
(I like to help teachers and I can do it well.) 」

在學校中,每位學生都有機會當班長,學習的機會不只侷限於少數人,而是每位學生都有機會可參與班級的事務;由此培養學生的領導能力、責任感與榮譽心。

(七)親師合作



學校有活動時,家長總是熱情參與

再好的學校與教師,也無法完全取代父母,品格教育並非只是學校教育的責任,家庭教育更是形塑孩童良好品格的重要支持。爲了建立學校與父母良好的夥伴關係,家長必須簽下接受學校規範的同意書,每學期都有一個親師時間,每位家長和導師約定時間,針對個別學生的學習與能力,共同設定學習目標,學習的重點不只是學科知識的學習,品格教育也是學習的重點;例如:希望學生能學習分辨什麼是對的行爲,並且能在生活中實踐、學習如何和同學和睦相處、對自己的行爲負責,有責任感與榮譽心、關懷同學與周遭事物。家長的支持學校教育與家庭教育的結合,親師間的合作,才能真正落實品格教育。

(八)沒有成績的成績單

在學期中學生將帶回 Progress Book,裡面記載學生在學校的課程學習,教師以文字敘述方式,讓家長了解孩子在學校的學習情形。學生在學校的行爲舉止,也是關注的重點,包括:守時、待人接物的禮貌、負責、友愛同學…等,都列入考核中。家長在收到 Progress Book

後,必須和老師約時間,到校和老師討論孩子的學習,使家長有機會充分掌握孩子的學習,並且與教師共同訂定孩子的學習目標,一同督促孩子學習。在品格教育,家長若能和學校充分配合,將能收事半功倍之效。

(九)閱讀袋





● 學生的閱讀袋、讀本與家長記錄本

在學校每一個學生都有一個閱讀袋,學生每天都會帶一本書回 家,由家長帶領孩字共同閱讀,除了可增進學童閱讀能力外,另一方 面家長可透過故事告訴孩子,什麼是對什麼是錯,當正確的觀念建立 後,好的行爲就會出現。

閱讀對品格教育的重要性在於,它不是生硬的說教,而是透過故事的鋪陳,教孩子做人做事的道理。品格教育並不只有學校單方面的教育,父母的配合也相當重要,閱讀袋的設計,一方面可由親子共讀的方式培養親子感情,更重要也讓家長重視自己在孩子教育歷程中所應負起的責任。

三、戶外體驗課程

從教育即生活、教育即經驗改造的觀點,爲達成有效的學習,培養帶著走的能力,「體驗教育」必須是體驗的、探索的、創發轉化的、內化爲價值的、應用於生活的。在 Dewey 體驗學習理論中知識的本質是重要的,體驗學習是提供機會學習並非爲了遙遠的將來,知識來自學習經驗,過去的歷史經驗是現在教學的材料,內容應該來自學生的經驗,以日常生活的事件爲起點,以能理解真實的世界。體驗學習的計畫是重要的,教師要找出適當的情境從事活動以便引導經驗成長,同時必須符合兒童自然的心理與生理的成長。

學校附近的博物館與學校爲夥伴關係,提供學校相關的課程與教學資源。學校每學期都有一次的戶外教學課程,博物館提供的課程與學生在學校所上的課程互相配合。在戶外教學的課程中,學生培養「信任」(trustworthiness),藉由分組學習,學生學會如何發揮團隊精神,爲團體爭取榮譽,信守承諾;「尊重」(respect)包括自尊的建立,以及對他人的尊重;「責任」(responsibility)包括對自我與團體負責,善盡本分與義務,對自己行爲產生的結果有所掌握並負責任;「關懷」(caring)包括對他人和善、慷慨、樂於助人、寬容、同理,且願意原

諒別人。品格教育也融合在這些課程中,這些真實生活的體驗有助其 課堂的學習。

戶外教學除了教師外,家長亦會給予協助,家長的參與有助於瞭 解學校課程的進行,家長應與教師共同參與品格教育,在雙方都有共 識之下,能夠成爲提升學生品格的夥伴,共同爲學生的品格努力,讓 學生能夠成爲具有良好品格的好公民。





● 博物館的工作人員,正熱心的向學生解說





● 戶外體驗課程研討會之展示攤位

四、科技倫理課程融入教學

近數十年來科技的蓬勃發展,雖爲我們帶來新的生活方式和觀念,卻也對我們傳統價值觀產生極大的衝擊;例如:網際網路雖然爲我們生活帶來許多便利,然色情氾濫、垃圾郵件充斥、網路詐騙問題嚴重,都值得我們訂定相關的規範遏止;生物科技的發展,1997年的複製羊成功,短短數十年間的科技發展已嚴重衝擊到有數千年演進歷

史的倫理學、基因篩檢技術的純熟,是否會發展出基因歧視的問題, 如何建立生物科技之法律規範也考驗著大家的智慧。

因此,相關當局必須研究制訂出道德規範的依據,使人能有追求 善的道德意識,而教育單位當然不能置身於外,學校有教育學生的責 任,因應科技而至的種種衝擊,個人道德發展過程的關鍵時期中,學 生所接受的教育,將有極重要的影響力。因此,學生在教室中,不但 要學科學知識,也要學習如何澄清科學知識的價值,對自己行爲的後 果有良心反省,並對人類與整個地球生態的未來有責任感甚至能創造 更新的價值,以達真、善、美的境界。

伍、結論與建議

在紐西蘭品格教育雖未單獨設科,但學校營造良好的學習環境, 教師善用日常學習與遊戲時間導入品格教育,學生在潛移默化中學習 負責與尊重…等價值,教導過程中不採說教方式,學生容易接受;一 旦學生有優異表現 (非侷限於課業上),校長在集合時間公開表揚,而 且精心設計獎勵卡,獲得表揚的學生都感覺非常光榮,良善的行爲也 願意保持去,亦能使其他學生有見賢思齊之感。

家長與學校充分的配合,是品格教育能成功的另一個重點。學校除了定期的家長會外,也創造機會讓家長可以參與學校的活動,例如戶外體驗教學請求父母協助、學生帶回 Progress Book 後,要求父母到校和老師討論孩子的學習、閱讀袋的設計都讓家長可以參與孩子的學習;而品格教育的課程也融入這些活動中,學校教育和家庭教育相互配合,在學校老師與家長互相配合之下,學生都能展現良好的品性與

合乎社會規範的行爲。

在觀察紐西蘭品格教育的實施之後,研究者提出以下幾點建議, 供相關單位與人員參考:

一、德育與智育並重

傳統台灣社會重視智育,而忽視德育;而學校對學生的表揚,也往往強調學生智育的表現,鮮少表揚學生在德育上優異的表現。就研究者在紐西蘭學校的觀察,品格教育在強調品格塑造與強調學業成就之間不會產生衝突,學生在學業上優異的表現,固然值得讚許,然在學習過程中若能表現負責、尊重、關懷等德性,同樣值得稱讚。由學校做起,讓學生在日常生活學習中,了解展現優良德行的重要,培養高尚情操的重要性,並不亞於學科知識的學習。

二、隨機推動品格教育

台灣與紐西蘭相同,對於品格教育並無課程安排、單獨設科教學。 在紐西蘭,教師實施品格教育的方式藉由隨機教學、機會教育進行, 以生活中周遭的事物或突發的狀況,進行隨機教學推動品格教育,例 如:讓學生在遊戲中學習遵守遊戲規則、尊重他人不做出別人不喜歡 的行爲;品格教育重在日常生活的落實,如果能以學生日常生活所發 生的是爲教材,適時教導學生,培養學生知善、樂善,更進一步能行 善,才是真正落實品格教育。

三、營造良好的學校氣氛

除了教師的言教與身教,學校的氣氛對學生影響亦不小,當學校能營造良好的氣氛,如 Marist School (Herne Bay)培養如家人般的感情,師生間彼此互相關懷,不需教師的耳提面命,學生自然而然關心週遭的人、事、物,境教對學生的影響不言可喻;除此之外,將品格教育

融入學校建築或裝置藝術,也可達到潛移默化的效果。紐西蘭是多元種族的國家,除了白人、毛利人外,亦有不少太平洋群島族群與亞洲人,在學校中藉由表演與介紹文化的方式,讓學生了解不同的文化,學校營造尊重的文化,學生能尊重各種不同的文化,也開拓學生的世界觀。

四、提供機會鼓勵家長參與孩子的學習

學生的品格教育並非只靠學校教師的教導,家長的配合亦非常重要,畢竟家庭教育是學生學習良好品格的第一所學校;因此,品格教育並非只是學校教育的責任,家庭教育更是形塑孩童良好品格的重要支持。

然部分家長無從關心孩子的教育,學校應擔任良好的橋樑,提供家長參與孩子學習的機會,例如:閱讀袋的設計,除了提升學生的閱讀能力外,也提供親子共讀的時間,讀本可加入品格教育的教材,配合學習單的設計,家長有機會與教師共同參與品格教育,在雙方都有共識之下,能夠成爲提升學生品格的夥伴,共同爲孩子的品格努力,讓孩子能夠成爲具有良好品格的好公民。

五、戶外體驗課程加入品格教育

戶外體驗課程,除了讓學生有機會到真實情境體驗,課程中亦可融入品格教育;例如在 Marist School (Herne Bay)的戶外體驗課程中,教師分組分式,告訴學生你們是團隊要對彼此負責,培養學生團結與負責;在活動過程中學生的應對進退,教師在活動前、活動中、活動後都一再強調,如何使自己的舉止合宜;而合作的機構除了課程的提供外,也提供品格教育的機會,例如課程加入國家英雄,全球第一位攀上世界最高峰「聖母峰」的登山探險家「希拉瑞爵士」的事蹟,介

紹他生前如何自我挑戰與幫助尼泊爾雪巴人,他功成不居與謙虛的好品德值得學生效法。這些貼進學生生活的教材與教學方式,學生容易接受與學習。

六、品格教育加入科技倫理課程

科技的蓬勃發展,爲我們帶來嶄新的生活方式和觀念,卻傳統價值觀產生極大的衝擊,這些衝擊都是身爲現代人必須面對的問題。品格教育除傳統的道德與規範,勢必因應現代科技所帶來的問題,加以澄清學生的倫理道德價值觀,使學生除了享受科技所帶來的便利,也能對自己行爲後果負責。

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附錄



Attendance

Purpose

To develop a special atmosphere, enhanced by our Catholic Character that will encourage attendance by providing a positive, caring environment. From the age 6 -16 attendance is required by law.

Guidelines

- 1. Parents/ Caregivers are reminded of the reporting system for absences at regular intervals. This is highlighted in the Prospectus and newsletter from time to time.
- 2. Parents/ Caregivers are asked to ring the school by 9:30am to report an absence.
- 3. Teachers, after the roll is called in the morning, fill in the absentee list, which is then sent to the office before 9:30am.
- 4. For absences that are not reported the school will contact the home that day.
- 5. Parents are reminded that a note is to accompany the child on his/ her return to school.
- 6. A medical certificate is required for absences of five days or more.
- Teachers are asked to monitor the Roll carefully for late comers and regular absences.
- 8. Where absences occur frequently parents will be contacted for a meeting at school.
- 9. The Health Nurse will be consulted where absences occur as the result of poor health.
- 10. The Attendance Officer for our school will contacted in the case of persistent non-attendance.
- 11. Should a pupil be attending, part time, another recognised educational institution, eg George Parkyn Centre, then the pupil should be marked present on the school roll at the time of such attendance.
- 12. The Principal will report, termly to the school community and annually to the Ministry of Education, on attendance figures.

Conclusion

Close liaison and communication between home and school should encourage regular attendance patterns at school so as to maximise the learning opportunities available to our pupils.

Behavior

This school believes in a positive approach to discipline. By ensuring that

- "rules and expectations are clear
- " staff are positive, firm and consistent
- " children achieve success from an interesting programme
- " and that children are engaged in constructive play at break times behaviour problems will be kept to a minimum.

Purposes

- 1. To allow learning to take place with a minimum of disruption.
- 2. To provide a happy, cooperative, relaxed, secure playground and classroom atmosphere
- 3. To provide clear rules and guidelines for children and to ensure all children, staff and caregivers know the rules and expected standards of behaviour.
- 4. To encourage a positive, preventative problem solving approach to behaviour management.
- 5. To support children to learn, practise and internalise acceptable standards of behaviour and to take responsibility for their own behaviour and to accept the consequences of their actions.
- 6. To have a clear set of steps to deal with problem behaviour.
- 7. To involve parents and caregivers in ensuring acceptable standards of behaviour and where possible involve parents and caregivers from appropriate cultural backgrounds
- 8. In consultation with parents/ caregivers and outside agencies to develop individual behaviour plans for children who need extra help managing their behaviour.

Guidelines

- 1. We will use a school wide behaviour management plan with positive reinforcement systems and a set of consequences for unacceptable behaviour in the playground.
- 2. A copy of our rules and discipline system will be sent to all parents and copy displayed in each classroom.
- 3. Parents/ Caregivers will be consulted if their child's behaviour at school is causing concern and their support enlisted.

Conclusion

Everyone needs to develop self-discipline and to accept responsibility for their own actions. Growth in self-discipline and responsibility are enhanced by providing an environment where Christian behaviours are recognised and celebrated and when students have increasing opportunity to make decisions and choices.

Homework

Purposes

- 1. To encourage purposeful communication at home and to provide a positive link between home and school that promotes and enhances a child's learning.
- 2. To assist children to develop independent study routines and self-management skills.
- 3. To broaden knowledge of current issues.
- 4. To reinforce knowledge and practise skills previously taught in the classroom.

Guidelines

- 1. Homework should be relevant to the children's needs.
- 2. Teacher directions to the child should be clear, concise and at a level that ensures child understanding.
- 3. Parents are encouraged to acknowledge their child's efforts.
- 4. Homework may include: Reading with or to a parent

Essential learning tasks

Completion of unfinished work

Research

The gathering of resources and/ or data for forthcoming units

Discussion of current events

5. Homework should be regularly marked and evaluate by teachers and pupil and parental feedback is to be encouraged.

Conclusion

Effective learning requires frequent, effective practice. Homework is seen as an important part of the school programme. Parents and schools working in partnership are central to a child's success at school.

Internet safety

Purpose

- To provide Internet access, so all staff and students can: Become effective and safe users of the Internet Extend their awareness and knowledge of the Internet Become motivated, responsible, independent users of the Internet.
- 2. To promote and ensure the welfare and safety of children and young people when using the Internet.
- To understand that the use of the Internet facilities at this school is strictly for educational purposes. This includes personal use and use for professional development of staff.

Guidelines

A Staff Use of the Internet

- 1. Training for staff who wish to use these facilities is available through the team responsible for the Computer/ Information Technology and is essential for the safety and protection of staff, students and equipment.
- 2. Students will need to be directed to sites on the Net, rather than surfing, which is why staff members must gain experience using the Internet before letting their students use it.
- 3. Staff members only to use laptops, not family or friends.
- 4. All staff members must sign a copy of this school's Internet Safety Policy before using the Internet themselves, indicating they are aware of the details of this Policy. This documentation will be kept on file by the school.

B Student Use of the Internet

- All students must sign the School Computer and Internet Use Agreement AND have the signed permission of a parent/ caregiver before using the Internet at school. These documents must be kept on file by the appropriate staff member, in the student's clearfile.
- 2. A teacher must be in the room whenever a student uses the Internet ie a student cannot be sent to a computer after school hours or during breaktimes.
- 3. Students can use the Internet only during class time unless given special permission, in which case a teacher must supervise.

C General

- 1. Any use of the Internet other than that specified here eg by custodial staff, staff or a student's family, or use after hours, must be with the agreement of the teacher in charge of Computer/ Information Technology and under supervision approved by that teacher.
- 2. The school will continue to refine methods of improving safety on the Internet.

Religious education

Purpose

- 1. To present the message of Christ in the Catholic context through a study of Scripture, doctrine, tradition, sacraments, prayers and rituals.
- 2. To strive for justice and peace in word and action.
- 3. To give all cultures the right to respond in their own way and to respect their response.
- 4. To foster an atmosphere of cooperation where all work together.
- 5. To recognise that education is for the total person, mental, cognitive and spiritual.
- 6. To be open to others and to make efforts towards continual reconciliation.
- 7. To provide an environment where faith and practices can be put into action.

Guidelines

- 1. Religious Education will be given priority within the total teaching programme of the school.
- 2. The Religious Education Programme in the school is based on the Religious Education Curriculum Statement for Catholic Primary Schools in Aotearoa New Zealand and it is used in the appropriate classes.
- 3. The levels of the programme will be decided on in consultation with DRS and class teachers so that there is effective coverage. This can be changed subject to class composition.
- 4. Suggested guidelines for the teaching strands and modules are set out by the Advisory Department in keeping with the Liturgical Year, but can be timetabled to suit school needs.
- 5. Religious Education will be taught as near to the following time allocations as the general organisation of the class allows. The minimum weekly total time allocations are:

Year Level Total Time Spread of Lessons

Years 1 - 2 1 hour 40 minutes 5 x 20

Years 3-4 1 hour 40 minutes 5 x 20 or 4 x 25

Years 5 - 62 hours 4×30

Years 7 - 8 2 hours 30 minutes 4 x 40

- 6. Short class prayers at the beginning and end of each day are expected. Class or individual prayer at other appropriate times is encouraged eg during Assemblies.
- 7. School Masses are held generally at the commencement and end of each term and on special feast days. Classes will be rostered to celebrate Mass in the Church. The time is at the discretion of the Priest.
- 8. All teachers are advised to discuss their Mass organisation with DRS prior to Mass celebration. Sheets are available for this.

9. The DRS and Principal will ensure that all teachers are aware of the expectations of teachers in a Catholic School in terms of Religious Education, pastoral care and Catholic Character.

Conclusion

Through the Religious Education Programme, the children will learn in formal ways what it is to be Catholic, what Catholics believe and how they celebrate, live and pray. Through this the school supports the parents in their role as the primary Religious Educators of their children.

Teaching at Marist Herne Bay

Our Practices:

Our Marist Charism underpins all we do

Gospel values are taught and practised

Teachers are positive role models

Teachers work to develop respectful, nurturing relationships with students and staff

Teachers have high expectations for their students

Teachers work co-operatively and collaboratively with students and staff

Teachers participate in religious education professional development that develops and maintains their on-going commitment to their faith development

Teachers participate in PD that further develops skills and strategies for learning

Our Learning Environments

Classrooms reflect the Marist Catholic faith and values

Classrooms are welcoming, meaningful, learning environments with displays of current learning neatly displayed

Current Learning Intentions and success criteria in all subject areas are displayed.

Classroom environments are comfortable, stimulating and conducive to learning.

Our Students

Students play happily

Students greet visitors positively

Students are well mannered and respectful

Students wear our uniform with pride

Students are known by name

Rules and routines are consistent

Students are working cooperatively and are willing to share

Students are on task

There is peer support

ETHICAL ISSUES ARISING FROM CHANGING A PATIENT'S MEDICAL TREATMENT FOR RESEARCH PURPOSES WITH THE INTENTION OF SEEKING INFORMED CONSENT AFTER THE FACT.

THE STUDIES

#1: Taking extra blood

Heart failure at Christchurch Hospital. Further blood samples and breath sample are being taken.

~5000 patients with chest pain at Emergency Department each year; ~75% not subsequently diagnosed with ACS, but occupy 4000-8000 hospital bed days annually.

Ethics application: "where clinically possible potential participants will be verbally informed and presented with an information sheet". If this happens and the patient grants verbal consent, or if this is not possible, "then patients will be provisionally enrolled", with the intention of requesting formal written consent in "a calmer and more clinically appropriate environment".

Timing of samples is important.

Continuing the research, including using these samples, contingent on the patient then granting formal consent.

#2: Withholding oxygen

Ambulances collecting people from home for heart failure.

Historical practice has been to provide oxygen instantly, but preliminary studies in USA suggest this may do more harm than good.

Proposal is to withhold oxygen from some patients at their homes, with intent of obtaining informed consent after the fact, to study whether oxygen helps or harms heart attack sufferers.

What can subsequent consent do?

In the first case, extra samples have been taken already; probably not a big deal – but in the second, by the time consent is sought, medical treatment has already been altered significantly. Consent will allow data to be used and further testing to continue.

INDIVIDUAL RIGHTS AND PUBLIC WELFARE

The physician has a special responsibility to their patient that they do not have to the wider public. Doctor-patient relationship: special, inviolable kind; physician dedicates medical expertise specifically to the patient's wellbeing. But, like all of us, can have obligations to the public.

Gain to public, no loss to patient: *Pareto improvement*? [for each case?]
But - contingent on the patient's willingness to take part. Does "act now, get consent later"

ignore *individual right*s for the sake of public welfare? Perhaps:

In *general* a person's right to grant or deny consent always trumps the interests of the public, but in special cases this may be outweighed

Public good vs. personal rights.

THE UNCERTAINTY PRINCIPLE AND CLINICAL EQUIPOISE

The debate centres on the conditions under which it is ethical to enter a patient into a randomised trial. Differs in where uncertainty is said to lie:

Uncertainty Principle – UK – the *physician* must be personally uncertain which of two treatments is better for their patient.

Clinical Equipoise – US – entire *community* of expert clinicians is the relevant body where uncertainty, or "equipoise", must lie.

(it makes sense to speak of a psychological state of "uncertainty" with a single physician, but for a group, there may be no single physician themselves in a state of uncertainty, though there is disagreement.)

Our studies unique: In ordinary situations, physician has knowledge of patient's health conditions and medical history. Not available in emergency conditions. Physician will have to rely on immediate judgment, but will be informed by the literature. No time to consult with peers for a second opinion. Moral authority and responsibility must fall on the physician, despite little knowledge to work with.

Does clinical equipoise apply in these cases? Not really - e.g. general view is that oxygen always has helped, and will continue to do so.

INFORMED CONSENT IN EMERGENCY SITUATIONS

Conditions under which each aspect of *informed consent*, i.e. that the patient is satisfactorily *informed* and has genuinely granted *consent*, may fail to obtain:

- (1) The relevant information required for obtaining informed consent must first be conveyed to and appropriately *understood* by the patient.
- (2) Patients must not feel persuaded or coerced into agreeing to grant formal *consent* for the research when their decision would otherwise be to decline.

Understanding

Necessary that the patient *understand* what is happening; what they are consenting to; and the nature of what the act of consent itself amounts to. What is required is a *realistic* and *substantial* degree of understanding

Whether a person can understand is not static, but depends on their circumstances. Possible symptoms of heart failure: pain, perception of oneself in an emergency, issues of time, noisy

and stressful environment at the emergency department. It is rendered irrelevant that time for deliberation is needed when the perceived information deliberated on is misunderstood.

2 cases of patients *misunderstanding* the consent process:

28% of cancer patients in a study believed that if they were given consent forms, they *must* sign them. 12% of new mothers consenting to genetic screening for their newborns were unaware that they had the option to refuse.1

Understanding more likely to be achieved after the fact, but by then preliminary "presumed consent" has already been assumed.

Persuasion

Persuasion can render "informed consent" no kind of genuine consent at all. Though to some degree, it is inescapable.

Medical professionals are often viewed as authority figures. There is a normal disposition to submit to what seem to be the wishes of authority, i.e. research. May worry of personally insulting person seeking consent, and/or fail to distinguish between them and the researcher themselves.

After changing the medical procedure to seek posterior consent for doing so, and then continuing with the research? Initial pressure lessened, but a different kind of persuasion in its place: difference between opting in and opting out. Will amount to leaving the research rather than choosing not to enter into it. Status has changed from merely that of patient to patient/subject. "Easier to pull out of a road trip before leaving one's house than when it has already begun"

The likelihood of that patient's decision being diverged from what it would be in an ideally reflective and non-coercive situation may be just as strong as when seeking consent initially.

Sample Bias

Will the fact that those who are asked for consent have already had their treatment changed – in some cases in ways which could affect their health – bias the sample?

Consulting at-risk individuals for prima facie consent before emergency?

Some may like possibility of benefiting others; for others, bringing up the topic of future heart failure could prove highly stressful. These at-risk people's health related to their stress levels and perception of future danger.

Instead of targeting *individuals*, consult representatives of the at-risk *community*?

¹ Faden and Beauchamp, A History and Theory of Informed Consent, p. 301

Defining the Unknown – Regulating New Technologies Elizabeth Bohm, HRC Ethics Committee Member, New Zealand

Recently former Prime Minister and Law Commission President Sir Geoffrey Palmer wasquoted as saying:

"The problem is that departments who are thinking about regulation arrive at a conclusion very early, don't consider the alternatives, barge ahead with getting the policy approvals, get the legislation, and then find they've chosen an instrument that is sodisproportionate to the problem they're trying to deal with - and you can't retreat from it."

Regulation, policy and legislation create the environment within which research can be conducted and according to Geoffrey Palmer there are some serious concerns about how this environment is being formed.

The progression of research can be enhanced or hindered by the regulatory environment that exists. Particularly in relation to "new technologies" where regulators must decide whether to regulate, and once taking that decision, how they will regulate new technologies. This is a task which can be complicated by exaggerated media reporting, the scrutiny of an interested, and sometimes, concerned public and competing political interests.

Currently regulators face particular issues in relation to health research as "new technologies" are emerging and advancing rapidly and their use could have far reaching implications for both individuals and society. What is the interaction between regulation and new technologies in health research? This will be analysed by looking at the impact of regulation on new technologies that have emerged in the past, that are currently being regulated and that are on the horizon and may need to be regulated.

Some questions for discussion include:

- Does the regulation of new technology raise issues for legislators and policymakers? Are these issues new?
- What's the best way to manage these?
- What can researchers and scientists do to contribute to the process?

We are not all Modern Now: Dislocation, Uncertainty and Ambiguity as New Forms of Governance John Pennington, Programme Leader, Toi te Taiao: The Bioethics Council, New Zealand

Increasingly we are confronted with technologies which defy the kinds of institutional, scientific and governance structures and systems which have, until recently, provided the methods and mechanisms for ordering, controlling and legitimating unruly nature. Technologies such as stem cells, embryo research, cybrids, food scares. Genetically modified food and crops and genetic testing are redefining the relations between society, technology and nature and are practically given shape in view of very concrete policy issues.

This presentation will explore some of the assumptions of modernist forms of state craft and indicate the limitations of forms of governance derived from these assumptions. This presentation will also outline some of the developments and changes we are witnessing as a result of what the authors of a recent EU report labelled as the 'politics of life'. The politics of life presents challenges to modernist forms of governance which traditionally have relied on beliefs in inter alia the state as a unified space, science as the ground of universal certain knowledge, that a clear boundary exists between scientific knowledge production and other societal processes and a clear boundary exists between the realm science and the realm of the political. The politics of life challenges these assumptions by noting a conceptual change in the notion of 'politics', towards actions which take place outside formal institutions traditionally considered the exclusive centres of political power. The underlying concept here is that power as traditionally understood is not to be thought of as a commodity, to be shared with members of an a priori given public, but as the product of interactions and take place between diverse groups of people struggling over meanings, values and the legitimation of action.

New and emerging technologies present severe problems for modernist forms of governance grounded as they are in ideas of a separation of facts and values, a boundary between science and politics and probabilistic risk assessment, and logos and pathos. It has become increasingly apparent that uncertainty as opposed to risk better encapsulates where we stand today with regard to emerging technologies. For a variety of reasons the risks posed by technologies such as stem cells, genetic testing and the like cannot be measured and calculated or weighed up as harms and benefits. As a consequence the prevailing dominant forms of knowledge upon which policy and decision making have been based are increasingly contested. The remainder of this presentation will explore some of the institutional and non-state responses to issues of governance generated by new and emerging technologies and suggests that new ways of meeting these challenges need to be institutionalized.