

Who guards the guardians now? Ethical dilemmas in conducting school-based research.

Judith Gill
University of South Australia

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Abstract: Mindful of Foucault's maxim about everything being 'dangerous', this paper will identify some ethical issues associated with school-based research. Features of current ethical requirements are identified, with particular attention to the concept of 'informed consent'. In deconstructing this concept I propose that it calls for a deliberate sleight of hand on the part of University Ethics committees. My argument will be supported by reference to some important educational research which could not have been conducted under the current set of requirements. Evidence also is drawn from descriptions of studies which have undergone major modifications in the light of Ethics requirements and which are consequently unlikely to fulfil their original intent. The paper concludes with a call for educational research in general and the AARE in particular to develop a stance on the conduct of ethical research which does not compromise the integrity of the research nor pose any harm to the participants.

Why this concern with ethics?

This paper was inspired by a concern about the marked diminution of studies reported at education conferences and/or being published which involved working with school students as participants. Although most teacher education courses involve students, in research methods classes in particular, in conducting small scale studies with children and adolescents, this sort of work appears to be diminishing from the broad field of educational research. A cursory reading through the Australian educational research journals appears to confirm this trend. While the numbers of qualitative research studies continue to rise, the participants are much more likely to be adults whether as teachers or students or as spokespersons for community attitudes. We have much more analysis of what teachers have to say about their work and about their students, we are becoming increasingly aware of the ways in which principals address issues of school management. However in this new celebration of voice the ones often missing are the voices of the school students. What is going on?

Changes in type of research attempted

In recent decades there has been a broad rejection of large scale survey type of educational research in favour of more qualitative person friendly approaches. The earlier mode has come in for harsh critique as 'empiricist' and 'reductionist' in that it reduces human responses to ordered numerical relations and attempts to predict and control behaviour as a consequence. While in my view some of these criticisms are overly hasty and derive in some part from a wholesale mistrust – and misunderstanding – of numbers and numerical relationships, it is also the case that this work did not pose the same degree of ethical problems as does that associated with qualitative research methods. After all the survey respondent is in complete control of the truthfulness of the answers given, even of whether the questions are answered at all. Conditions of anonymity and confidentiality are more readily preserved, especially in working with large numbers of respondents who need usually only to identify in terms of age and sex for the results to be processed. The

requirement of a signature of ‘informed consent’ given in the general anonymity of a large scale survey is less likely to put people off participating whatever their age or background. Despite these benefits survey type research is also increasingly less likely to be adopted by students pursuing higher degrees or among education academics themselves.

Most popular option: qualitative approaches

The majority of education research degree students appear to be opting for research questions which lend themselves to qualitative approaches. They choose to conduct small scale in depth interviews to obtain their data and proceed with analysis based on this material. It is the sub section of this group who choose to work with school based students that is my concern in terms of ethics. These researchers must identify as being involved with ‘human subjects’ – although most would prefer to name their people as participants, students or even in some cases co-researchers. Before they can begin data collection they are required to complete a fairly elaborate form set up by the Human Research Ethics Committee within the University in which they demonstrate that they will obtain ‘informed consent’ of the participants or, in the case of school students under age 16, the consent of their parent or guardian. In the process of obtaining a signature the researcher must provide the participant or parent with details of the study, its aims and projected outcomes and what will be involved in the interviews. They must also guarantee confidentiality and anonymity in any publication proceeding from the study. At my University and at many others, the form letter that is prescribed by the university must also advise the signatory that, in the case of the participant becoming distressed as a result of her/his involvement in the research, ‘counselling will be provided’. This clause is mandated to be included in the papers for participants or, in the case of child subjects, for parents/ guardians to sign. In most cases school based researchers must also apply for permission through an ethics committee within the relevant education department, a procedure which is often of a similar level of complexity to the first one.

My hypothesis – untested in this paper but hypothesis nevertheless – is that the particular requirements of obtaining ethics approval, the timelines involved and the deliberations around research ethics are in fact causing prospective researchers to abandon plans to include young people as research subjects. The logistics involved have become so complicated as to deter people wanting to undertake research with children as participants. In addition, I see the requirement to include the clause about counselling as operating as a disincentive to parents and guardians to allow the researcher access to their charges. There are multiple causes for concern if this indeed is the case. The knowledge generated by research about schools and their workings will be always only partial and limited if research does not include student consultation as a significant area of study. In addition the celebrated preoccupation with voice, especially in the case of those least powerfully positioned, which has been a significant feature within research writing in recent times, is hardly sustained if educational research continues to marginalise children as potential contributors to the research.

My involvement with ethics considerations

I work in an education school in which complaints about the difficulties experienced by academics in obtaining ethics approval are commonplace. However given that the ethics committee sits in a very powerful position within the university structure it

seems that such complaints are rarely aired in the company of the people most directly concerned. I have served on ethics committees at the Divisional and University wide level. My impression is that these groups work within a general spirit of cooperation and interest in research work. While usually not the writers of the ethics documents, committee members strive to apply the rules contained therein. I note too that within the University wide committee the membership requirements are clearly set out in terms of representation of non-academic members. They are required to have a certain number of ministers of religion, of representatives from the health professions, from other professional bodies and so on. The number of academic researchers on this committee is often below that of the community people.

It is of course perfectly reasonable to suppose that community members should have a say in the judgement of the ethical rights of other community members – it's a little akin to the juridical system of law after all. However at times these meetings can be somewhat laborious when the lay members have evidently little understanding of research frames or research language, especially in the social sciences. I recall having to explain on several occasions the meaning of SES and even when it was spelt out as socio-economic status the questioner appeared less than fully aware of the implications of the term. I noted too that when the proposed research involved children as participants ethics committee members appeared to take their task very seriously indeed. This sentiment is of course entirely admirable. We live in a pro-natalist society amidst a culture in which children are seen as both deserving protection and as having specific rights *qua* children. The notion of the 'rights of the child' is enshrined in popular discourse. Criminals who offend causing children harm are rated as the most despicable by the wider society and also by other criminals. However this sense of caution and care may not produce the best environment in which to consider research proposals, as some examples later will illustrate.

For the past four years I have been the Ethics Officer within the AARE and, despite repeated pleas in the newsletter for people to write in with their ethics stories, very few were forthcoming. Several people contacted me privately with issues around ethics but said they did not want to risk further trouble by going public with their stories. In response to member concerns the AARE established its Ethics Code in 1993 and furthered ratified it in the 1997 RARE publication: *Ethics and Educational Research*. Subsequently the AARE provided an overview of the ethics requirements of the various state education departments which also are required to be met by researchers who must gain their approval before venturing inside schools. Unfortunately these requirements appear to have changed fairly quickly, in substantive detail if not in spirit, and so that publication quickly became out of date.

The four principles enshrined in the AARE Ethics code are, briefly:

1. The common good: research consequences must enhance the general welfare.
2. Researchers should recognise the ethical dimensions of research.
3. No harm to an individual.
4. Respect for the dignity and worth of all persons involved.

These are spelled out in detail on the AARE website and in the 1996 publication (Bibby, 1997).

Time for a new code?

We have talked about the idea of revising the AARE ethics code – but there appears to be little energy within the executive or the wider educational research community for the task. Meanwhile Crotty has argued (fairly persuasively in my view) that the days of thinking about ethics as a universal set of principles that govern research behaviours has long gone. What we do have, according to Crotty (1995), is an elaborated understanding of professional etiquette – the ‘right way to behave’ as a researcher. But while there may be legal reasons for requiring adherence to this set of norms, Crotty insists that they do not arise from moral positions. In this view the task for ethics committees becomes not one of ensuring moral rectitude (even if that could be done) but rather one of ensuring that the researcher and her/his institution be free of legal liability arising from any participant’s involvement in the research. Certainly spokespersons for University Ethics Committees have frequently stressed the need to ensure that the University not become liable for injury caused to persons as a consequence of their participation in research. Are we then talking about *ethics* or the *conduct of ethics committees* in terms of this set of problems for educational research? Are ethics committees motivated by a concern about the rightness of the set of actions taken by the researcher or the need to protect the University from litigation? Perhaps one way to look at this question is in terms of the particular issues that researchers are required to address in their applications for ethics clearance for their research.

I now propose to address the central features of ethics committee’s concerns from the point of view of researching schoolchildren.

Protection from harm

The concern that no one be caused harm as a result of their involvement in research is a central concern of ethics committees, especially when the proposed research involves child subjects. Few would argue against the moral correctness of this concern or its legal responsibility. It is important that research designs be scrutinised for any potentially harmful effects that could ensue for the children who participate. However at times in their efforts to prevent any harm occurring ethics committees have been known to make particular recommendations which seem to some researchers to have overstepped the question of ethical conduct and to make substantive changes to the topic being researched.

For example, one case involved a researcher proposing to use little flags as an ice breaker to engage primary school children in discussions of national identity and belonging. The ethics committee decreed that flags were unacceptable because of their ‘political overtones’ – this trivial example shows the subjective response of one ethics committee member being mobilised to affect the conduct of the research on very slight grounds. Rather than debate the matter further the researcher agreed to drop the flags and use another stimulus for discussion which was acceptable to the committee.

A more serious example occurred when a researcher was attempting to evaluate the effectiveness of some of the child protection programs currently in use in local schools. She proposed to show small groups of children a video in which a child is asked by an unfamiliar adult to do something they had previously been warned against – talking to the stranger, accepting lollies, getting into a car and so on. After watching the video the children were to be interviewed about their reactions – was

the girl/boy in the film doing the right thing? Was there a danger? Responses were to be compared between the children who had been taught the child protection program and those who had not. The ethics committee found this design unacceptable and ruled against it. Their rationale was that viewing the 'wrong' behaviours might negatively affect the children – even though the design was to talk to the children about the potential dangers in what they had seen in the debriefing session. The outcome was that the evaluation did not proceed – a result that could be considered to run against the best interests of all the children, including those participating in the program.

Obviously these examples draw on fine lines of judgment and fairly subjective positions on what may be judged safe for children. It is proper that researchers should submit their protocols for assessment before being allowed to go ahead with the study. However, given the particular concerns involved, I suggest that those in judgment should be people with experience in conducting research with child subjects who are well placed to comment on the design. Lay community people who do not have this background may simply react from a 'protect the little children' orientation which may be inappropriate in this consideration.

Informed consent

According to several commentators, the principle of informed consent operates as key to the ethical position of the researcher (Bogdan and Biklen, 1992). There are elements of legal concerns here too – the patient 'signs off' on the medical procedure before undergoing the operation, thereby obviating the medical fraternity from the charge of wrongful intervention. But do either the participant in educational research or the patient in the hospital really qualify as being 'informed' as to their rights and about what will happen to them? Certainly the medical doctor is shrouded in expertise and understood as having access to knowledge far beyond that of most patients, knowledge that is directly involved in the procedure about to be performed.

The educational researcher is in a rather different position. Knowing that s/he must build rapport with research subjects, the stance is more likely to be at one with the participant in the interest of developing the trust that is seen as essential for full and open dialogue. At the same time most research participants are not in the same position as the researcher – they have not spent time reading in the area, developing the questions that they hope will generate suitable data for analysis. Their level of 'informed-ness' is of the order of 'we are going to have a talk about something in which you are involved and I want you to tell me what you think and/or how you feel about it'. The reasons for the researcher's interest are usually only disclosed at a very superficial level in the information statement for participants – and for good reason as it is unlikely that most subjects would want to go into the theoretical interstices of the particular topic under scrutiny. However there is a significant sleight of hand at work here – the participant is technically 'informed' of what is to happen and her/his right to confidentiality, but the difference between the 'informed' state of the researcher and that of the participant is so vast as to render them profoundly unequal, despite the egalitarian style associated with developing openness and trust in the research relationship (Burgess, 1989).

Nowhere is this difference in positioning more apparent than in regard to children as informants. And of course in the case of children they do not have to sign on as

‘informed participants’ – this is done by their parent/guardian who is further removed from the research context and consequently whose capacity to provide ‘informed consent’ is probably lower than that of an adult informant anyway. In my view then in school-based research with child participants, the soliciting of ‘informed consent’ is required for legal reasons rather than ethical ones. A more morally – and possibly legally – defensible practice would involve the school professionals, such as classroom teachers and/or principals, being thoroughly apprised of the aims of the research, its methodologies – and then being empowered to make a decision as to whether it was appropriate for students from that particular school to be involved. This is surely an occasion when *in loco parentis* could work to the benefit of all involved. The principal and teachers would be in a position to be really informed as to the ambit of the research, they would have the right to question and the power to deny access, and the child participants would be protected from harm in a way that would obviate the need for counselling to be provided.

Being in the physical context of the research, ie at the school, would mean also that teachers and principal would have the opportunity to talk with the researcher during the data generation period and raise any ongoing concerns about the progress of the study. This feature would be consistent with the AIATSIS principles of ongoing negotiation about the ethical conduct of research with indigenous people and much more humanly responsive than in the system whereby sensitive and important judgments about ethics are seen as happening as a one off. Moreover the idea of involving the school professionals in the research enterprise is consistent with current approaches to teacher education in which the teacher as researcher has increasingly been recognised as an important function of pre-service and in-service training. It seems a sensible and productive move to further enhance the school’s role in knowledge production by writing school-based professionals into the conduct of school based research.

Are strategies of deceit ever permissible?

The notion of informed consent cannot be applied in research that involves deception as part of its design, for example the medical model testing of the placebo effect in which the participants were not told whether they were part of the experimental group or the control group. In this case being ignorant would appear to be a crucial condition for the study to proceed. Research designs that employ deception in order to test particular hypotheses have become unpopular in recent times. In particular researchers who adopt a qualitative approach involving face to face interviewing with participants are likely to insist that any deception would have the potential to negatively affect the development of trust that is the cornerstone of their research (Kiegelmann, 1996).

One study where deception was central to the design involved teacher education students who had studied Piaget and the relation between the development of conservation strategies and intellectual development. The students knew they were about to be tested on some aspect of Piaget’s theory and had agreed to participate in the study. Having established by demonstration with the group that the two balls of plasticine were of equal weight the researcher changed the shape of one of the balls and in so doing secretly inserted a small piece of lead into the mass. When the balls were replaced on the scale it was clear that one was much heavier. The student participants were then asked to write an explanation for what had happened. Less

than five per cent offered the correct answer – something must have been added. The others generated quasi scientific responses or confessed ‘I don’t know’. In the subsequent debriefing the students said to the researcher ‘I didn’t think you would do anything like that – you look so honest!’ showing that their responses were based on interpersonal cues as much as scientific logic, a result that went beyond the terms of the investigation. As in several Us studies that had utilised some degree of deception, no participant appeared damaged by their involvement in the study – if anything their experience had added to their understanding of the sorts of cognitive steps involved in this type of thinking (Forsyth pages). However their trust in the investigator had probably been affected by the experience. They had been informed of the purpose and general intention of the study and so technically had supplied their ‘informed consent’ to participating.

As a further complication to the logic of ‘informed consent,’ let us consider the possibility of participants being *required to be ignorant* of what the research is about. While much of the writing about qualitative research approaches embraces an ethic wherein trust and openness are feted as key in the development of the research relationship, there is some discussion about conditions in which it is important for the research process that the participants are unaware or not fully aware of the intent of the research. Of course gross misrepresentation is not called for and any falsification should be reported in a final debrief. However there are times when a research design may require that its informants or child subjects are less than fully cognisant of the issues at stake.

An example from my own doctoral study of gender construction in schooling is relevant here. After an intensive period of classroom observation I was introduced to the classes as ‘someone who is writing a book about a school’. I proceeded to ask the children for help with one aspect of my work namely to help me to think up good names for the characters at the school in the story.

I proceeded to give them verbal descriptions of the different characters, eg The first is someone who is always in trouble, homework not done on time, late for school, often not paying attention in class, looking forward to the last bell each day ... (my descriptions were carefully free of gender labels).

The children wrote down their suggestions and I collected the slips from them. In the next part of the data gathering I talked with the children in small groups about what names they had suggested:

Guess what! Just about everyone of you gave me a boy’s name for that first character!

In this way I was able to draw out their assumptions about gender and the ways in which it related to behaviour at school – the ways in which they constructed gender in their everyday practice. Fortunately for my purposes it was done in the days before all research students were required to apply for ethics clearance before commencing their research. My point here is that the construct I was trying to reveal would not have been produced by straightforward questioning – it was the very taken-for-grantedness I was after, that quality so amenable to ethnographic research and so rarely uncovered in standard Q and A treatments or survey type research.

At the same time I was engaged in a degree of deception. I wasn't somebody just writing a book, I was trying to produce a thesis which was elaborated along very particular lines. During the interviews I was able to debrief to some degree – by asking the children if their responses were likely to be true for all boys, all girls etc and of course they delighted in offering examples of counter instances. However the construct that I was after – their taken for granted understating of how it is at school in terms of gender behaviour - was starkly revealed by my small deception. I submit that publications from this work, along with a host of others around that time, added to the general level of teacher awareness of gender structures in classroom interaction, thereby helping to make schooling more equitable. Despite this potential benefit for all students, I doubt that an ethics committee would have passed my proposal.

A next step

I have raised issues around the current practice of requiring all research to be passed by a university based ethics committee not because I want to deny the proper scrutiny of research protocols on ethical grounds but rather because I believe there is a need for Australian educational research to involve itself more fully with investigations of children and young people's responses to the world of school. However I remain concerned that the current structures and strictures around ethics requirements have done a good deal to discourage researchers from attempting to study young people and children in our schools. If indeed this is the case, there are major problems for the whole corpus of educational research which addresses schooling. Some of the things that we really need to know about how schooling works require studies that involve children talking about their attitudes, values, feelings and daily experience. Curriculum design needs to be informed by children's existing state of understanding, their affective responses to topics and their general levels of readiness to engage with new knowledge.

There is encouraging work being done in schools in which students are learning how to carry out research within their own school communities (See The Coalition of Knowledge Building Schools, Groundwater-Smith 2003). This move appeals as entirely consistent with current educational ideas about learning how to find out as being more important than knowing the answer. Hence schools that choose to involve their students as researchers are a step ahead of the field in terms of knowledge production within their own communities because in so doing they will inevitably have to address the sorts of ethical concerns raised here. Again there is an interesting parallel with the excellent work by indigenous researchers whose code of ethics is spelled out on the AIATSIS website. In this approach ethics is seen as part of the ongoing negotiations in the course of study, a process of continuous interaction between researcher and participants rather than a one off case of getting a form signed. Such an approach has evident benefits in reducing the power differential between researcher and participants and contributing to the development of trust. Perhaps if enough children and young people in schools embark on carrying out their own research they will begin to fill the widening gap that gave rise to these concerns.

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