Regulatory Practices and School-based Research: Making Sense of Research Ethics/Review

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Abstract: This article focuses on the ethics/research review practices of a university Research Ethics Board (REB) and a school board Research Review Committee (RRC). Applications to conduct school-based research submitted to the REB and RRC and in-depth, open-ended interviews with REB and RRC members serve as data for the study. In this paper, we highlight the institutional board decisions, especially requests for clarification documented in the applications, giving specific attention to applications proposing qualitative/teacher research. Empirical research focused on the inside workings of REBs and RRCs, which would provide particular kinds of knowledge related to research/ethics review, is recommended.

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1. Introduction

Debate focused on university ethics review and the oversight of research involving human participants has been heating up over the last few decades. In Canadian university contexts, the Research Ethics Board (REB) is the regulatory body that monitors research involving human participants (CANADIAN INSTITUTES OF HEALTH RESEARCH, NATURAL SCIENCES RESEARCH COUNCIL OF CANADA, SOCIAL SCIENCES AND HUMANITIES RESEARCH COUNCIL OF CANADA [CIHR], 1998 [with 2000, 2002, 2005 amendments]), similar to Institutional Review Boards in the US (LINCOLN & TIERNEY, 2004) and other countries (FITZGERALD & PHILLIPS, 2006). REBs are governed by policies and procedures articulated in the Tri-Council Policy Statement on Ethical Conduct for Research Involving Humans (TCPS) instituted in Canadian universities in 1998. [1]

Researchers experienced in qualitative, interpretive research traditions have voiced their dissatisfaction with, among other things, what they perceive as an inappropriate review process developed out of a bio-medical model being applied to interpretive research (PRITCHARD, 2002; Van den HOONAARD, 2002). According to the TCPS, "[t]he fundamental ethical issues and principles in research involving human subjects are common across the social sciences and humanities, the natural sciences and engineering, and the health sciences" (CIHR, 1998, p.i.2). This stance is problematic considering the complexity of a growing body of interpretive methods and multidisciplinary research endeavors that do not fit into a natural sciences paradigm—what degree of commonality is possible across such differences? Although we agree, in principle, that the ethics review of research and REBs serve an important function and were not developed with the specific intent to hamper legitimate research activities, we are also aware of the problematics of a standardized institutional process applied across multiple and varied research methods and contexts. [2]

In this paper, we focus specifically on the ethics review of school-based research defined simply as research proposed for K-12 schooling sites involving students, teachers, principals, and/or school board personnel. Although not all school-based research is qualitative, over the past few decades there has been an increase of qualitative research in educational contexts (HOWE & DOUGHERTY, 1993; PRITCHARD, 2002). [3]

Currently in Ontario, Canada, school boards are, in varying degrees, formalizing their procedures to oversee and monitor requests received from individuals or groups to conduct research within their jurisdiction. Based on a content analysis of documents outlining research review policies and procedures we identified and collected through telephone contacts and a search of 60 Ontario school board websites, we characterize Ontario school boards as falling within a continuum of formalization. On one end of the continuum, we place school boards that continue the historical, informal process centered on personal contact with Director/Super-intendent, principal, and/or teacher who gives individual permission. Positioned further along on the continuum are school boards that have instituted a formalized process, which includes school board written policy and procedures and a review committee that meets regularly. Evident in our document analysis is the growing number of school boards implementing formalized research review policies and procedures (TILLEY & RATKOVIĆ, 2006). [4]

When we consider the intensification of research ethics/review of proposed school-based research over the last few decades, combined university and school board processes, we question the extent to which "ethics creep" as HAGGERTY (2004) articulates (in relation to ethics and journalistic endeavors) reflects what is currently happening in Ontario and other Canadian contexts in the oversight of school-based research: "Ethics creep involves a dual process whereby the regulatory structure of ethics bureaucracy is expanding outward, colonizing new groups, practices, and institutions, while at the same time intensifying the regulation of practices deemed to fall within its official ambit" (HAGGERTY, 2004, p.394). [5]

Researchers seeking permission to conduct school-based research experience this intensification in material ways as they work to gain approval to proceed with their research, often times completing two separate comprehensive institutional processes. With the increase of school-based research, more emphasis on oversight is not surprising. We are not arguing against the necessity of oversight, particularly considering the vulnerability of student/child participants, rather our emphasis is on exploring the practice of research/ethics review and its influence on school-based research. [6]

2. Research Data

A database of 312 REB applications, the majority of which were designated as expedited review (309 expedited, 3 full review), a process indicating that the research is "confidently expected to involve minimal risk" (CIHR, 1998, p.1.8) and 94 research applications submitted to a school district Research Review Committee (RRC) inform our discussion. The school board in question had implemented a formalized research review process that required researchers to complete a school board application and to meet criteria and timelines outlined in the RRC policy and procedures, which, for the most part, reflected review norms of an REB. The RRC did not require applicants connected to universities to have REB approval before submitting a research proposal. However the REB, following TCPS policy, requires researchers conducting research in another jurisdiction to obtain appropriate permission from those in authority in that context before research can commence (CIHR, 1998, p.1.14). [7]

We conducted a content analysis (COFFEY & ATKINSON, 1996; EZZY, 2002) of the total 406 applications submitted to the two institutional review bodies between 1998-2003. Completed application forms, final review decisions, including requests for clarification, among other material, were included in the files. We pay special attention to requests for clarification documented in the application files (see TILLEY, KILLINS & Van OOSTEN, 2005 for broader discussion). These requests provide an important window into the research/ethics review process. Although some aspects of the applications can be quantified (e.g., numbers/types of changes) often the individual idiosyncratic review requests are valuable in understanding the work of the REB and RRC. [8]

To provide an *insider* perspective of the review process, we present data collected through in-depth, open-ended interviews (FONTANA & FREY, 2005) with 7 REB and 9 RRC members. In the case of REBs, individual reviewers bring extensive knowledge, history, and experiences of research to their reviews that vary across individuals (TILLEY, 2008). Regardless of their specific research expertise, faculty members who serve on REBs are individuals normally required, in the university context, to devote a significant portion of their time to research related activity. The REB members interviewed represented a mix of expertise. Four faculty members spoke of teaching research courses and supervising graduate student research. One participant spoke of feeling "less qualified with qualitative research." Two of the participants were community members with one

having a completed PhD and the other describing her/his REB experience as "the first real exposure to research." [9]

Positions represented on school district RRCs include all, or a mix, of the following: research officer, school trustee, elementary school principal, secondary administrator's council, administrator of curriculum services, school board lawyer, special education representative, and occasionally teacher representatives. RRC members are not required to devote extensive time to research related activities, except in the case of members designated as research officers who, among other responsibilities, often provide oversight for the research review process and research related board activities. The RRC participants interviewed had varying research experience. Three participants spoke of completing Master's degrees, one participant had completed a PhD, and five participants spoke of limited research experience. [10]

In this paper, we are not attempting to generalize across institutional review practices or to make definitive claims about the school-based research planned, but rather, to create a description and critique of research ethics/review procedures that contribute to the ongoing, necessary, and timely conversation related to research ethics/review and school-based research. [11]

3. Overview of Decisions and Clarification Required

3.1 Decisions recorded

In the process of analyzing the applications, we coded decisions using categories designated on the REB applications that served as data, and were also representative of the RRC application headings: Approved As Is, Clarification Required, Accepted as Clarified, Resubmission Required, Accepted As Resubmitted, Denied. [12]

Table 1 reports on REB and RRC decisions. In both cases, a greater number of applications required clarification than were Approved As Is. For example, the REB approved 23% of total applications but requested clarification for 68% of the total 312 files. As a result, the time the majority of researchers had to wait from request to receiving a final decision and proceeding with their research was extended. Four percent of the total applications received the decision coded as Unknown indicating that those files were incomplete and had no final decision recorded. In comparison, the RRC approved 19% of applications with 40% requiring clarification. Of the remaining applications, 29% of cases received the final decision as Unknown. We attributed this significant number to the fact that the school board had been in a formalizing phase when receiving applications in the earliest period this research covered, and therefore, decisions were not always systematically recorded and kept in the files.

Decision recorded	REB	RRC	Total
Approved As Is	70	18	**88**
Clarification Required—Accepted as Clarified	213	38	**251**
Resubmission Required—Accepted as Resubmitted	16	0	**16**
Denied	0	11	**11**
Unknown	13	27	**40**
Total applications	**312**	**94**	**406**

Table 1: Decisions recorded [13]

REB members review applications in accordance with the TCPS to ensure that the rights of participants are protected and potential benefits of the research outweigh harms. The REB works to promote, rather than police research (although some might argue the review process feels more like policing, see PATTERSON, 2006), and therefore, in cases where research applications are incomplete, lack sufficient detail, clarification required is extensive and problematic, the researcher is asked to resubmit. Unlike outright denial, with a decision of Resubmission Required, researchers are given the opportunity to rework their research plan addressing REB concerns and possibly attend a full-board review. Five percent of total applications required resubmission. [14]

By comparison, the decision Denied was assigned to 12% of the 94 school board applications. The RRC is a formalized committee with jurisdiction over research conducted in its school district. In addition to focusing on ethical concerns similar to REBs, such as informed consent and protection of vulnerable populations, RRC members apply additional criteria when reviewing applications. For example, in one school year the RRC received 5 separate applications with a research focus on youth gambling. The committee denied all of these requests stating, "Not approving gambling requests at this time...having already allowed a number of them in the past." Applications based on research plans the RRC deemed as interfering too much with regular classroom or school agendas were also denied, for example, when lengthy questionnaires were to be completed during class time yet had no perceived instructional benefits to the student participants. In other words, the RRC was concerned with reciprocity and whether the proposed benefits would be of *real* value to the participants, in most cases school-aged children. Further evidence of this consideration becomes clear in RRC requests for clarification that specifically ask the researcher to explain "What is the value [of the proposed research] to us?" [15]

3.2 Clarification required

At the most general level, we constructed 3 categories of clarification, Surface, Substantive, and Unclear. Surface-type clarification involved questions related to concerns often remedied quickly with added or corrected information. These

included requests for missing information (e.g., include line for signature, more detail on forms) or might call attention to lack of consistency across sections of an application (e.g., data collection methods and timelines not matching details in consent form). More substantive clarification requests required knowledge of the ethical implications of the research plan not easily obtained on demand and were often more troubling to reviewers than the surface clarification required (e.g., issues of confidentiality, informed consent, power). When files had requests for substantive clarification they often included requirement for surface changes as well. The label Unclear was applied when the decision was Clarification Required but no details were given in the file as to the specific clarification requested. Table 2 provides an overview of the type of REB and RRC clarification requested.

Type of clarification required	REB applications	RRC applications	Total
No clarification required	47	17	**64**
Surface	84	12	**96**
Substantive	172	49	**221**
Unclear	9	16	**25**
Total applications	**312**	**94**	**406**

Table 2: Types of clarification required [16]

4. Surface Clarification

Twenty seven percent of the total REB applications received the decision that only surface clarification was necessary. In most cases, researchers were required to address a number of questions related to surface elements of their applications and send a response back to the board. The emphasis on what we have designated as surface clarification in the REB ethics review process and the concern that this surface emphasis may limit the attention paid to what many researchers view as important ethical issues was voiced in a report built on a collection of concerns of academics across Canada: "The ethics review thus far under the TCPS has more to do with 'review' than 'ethics'" (SOCIAL SCIENCES AND HUMANITIES RESEARCH ETHICS SPECIAL WORKING COMMITTEE [SSHWC], 2004, p.59). In interviews, The REB participants also described reviewers' over-emphasis, at times, on the technical:

> "members either look at it very superficially and ... it's almost like marking a paper. What are you looking for when you mark it? Are you looking for the small grammatical errors? Or are you looking for the substantive message that's being stated in here, the big issues that might evolve from a very rigorous, thoughtful examination of the protocol?" (Transcript, p.9 of 38) [17]

During Susan's 3-year tenure on the REB, board members in general and in sub-committee meetings devoted an extensive amount of meeting time adjusting and altering the ethics application forms. These amendments were attempts to make

the forms more user-friendly and to reduce required clarification. Ironically, this emphasis may have led both researcher and reviewer to the over-interpretation of the surface elements. When a request for clarification appears as a laundry list of questions easily answered (some researchers might suggest unnecessary questions), the review process itself, including the researcher's participation in constructing a response to the demand for clarification, can be experienced as an instrumental process. In the quote below, an REB member, who also advises students conducting research to complete graduate degrees, speaks of frustrations with the ethics review responses her/his student-researchers have received.

> "Well, I think [as Advisor] I've gone through this very carefully and then I get back the responses and I see things that I think [are unnecessary] and I look at them and go 'Okay. Really? We've already mentioned that two or three times. Do we have to go through this again? Are you not maybe nitpicking a little?' ... I send it back [to my students]. I tell them, 'Answer the questions and send it back,' and almost without exception, it's Accepted as Clarified. I'm wondering if all of that needed to be done because they were so easy to clarify and really didn't need to be clarified at all in the first place." (Transcript, p.13 of 38) [18]

The REB emphasizes the ethical dimensions of the research and does not have the mandate to judge "application quality," unless the application as written creates concerns related to ethical issues (e.g., confusing consent form). The participant above describes frustration when surface clarification was requested when information was already present in the application but possibly not in the location designated on the form. From the perspective of the participant, the problem appears to be not so much that clarification was requested but the character of the request. By contrast, other REB participants spoke of the additional workload they faced as a result of student-researchers' faculty advisors not taking the process seriously. "I think because some of the proposals that came through were such poor quality it was clear the advisor hadn't even looked at them" (Transcript, p.6 of 36). Advisors are required to approve and sign student-researchers' applications indicating that they have read and approved the material before submission to the REB. [19]

Researchers across Canada (SSHWC, 2004) and in other countries have articulated concerns with the ethics review process questioning the appropriateness and arbitrariness of the reviews received in light of their lack of connection with *real* ethical issues and the resulting loss of time before clearance is given and research can begin. One might argue that through the review process, researchers have an opportunity to receive input that can make explicit ethical issues formerly not noted and that the time contributed to the process is well spent. However, when the requests for clarification reflect a solely instrumental flavor, researchers may find the justification for slowing down the process less palatable. In the case of qualitative research specifically, a greater concern from our perspective, than loss of time, is the possible deleterious effects of REB reviews over-emphasizing surface elements of research applications. In particular, in the case of graduate student-researchers, who submitted the majority of applications in our data-base, such an emphasis on gaining clearance

to proceed may create a false confidence that ethics has been taken care of once and for all, precluding serious consideration of what constitutes ethical, respectful research in situ (GUILLEMIN & GILLIAM, 2004; TILLEY, 1998). [20]

The explicit emphasis on surface aspects was also evident in RRC members' reviews. As indicated in Table 2, 13% of RRC responses asked for only surface clarification; however, close examination of all RRC files indicate that half of the applications which requested substantive clarification also had long lists of surface to-dos. These included direction to: address the number of misspellings throughout the application, change a word in the title, make better word choices on consent forms and data collection instruments, and create a better order for survey questions. The RRC has an expectation that all applications be well written and may reach the decision to deny an application based on a judgment of poor writing quality. [21]

In the case of the REB, we foresee members continuing to question the fine line they perceive between application/writing quality and ethical considerations and expect individual members sitting on the board to continue to influence how REBs ultimately address such questions. The RRC will continue to make decisions based on criteria set out in their policy and procedures which go beyond concerns for the ethical dimensions of the research. The fact that a research application submitted to the school board has previously received REB clearance is not a guarantee of RRC approval (e.g., youth gambling application: RRC Denied and REB Accepted As Clarified). Researchers connected to universities who want to conduct school-based research will need to take the time to inform themselves about school board review practices and design research that, among other things, meets school board criteria. [22]

5. Substantive Clarification

Review decisions designated as substantive clarification reflected concerns related to issues the TCPS clearly defines as ethical. Codes such as confidentiality, power issues, informed consent, and risk were common in the applications that required this type of clarification. [23]

When analyzing requests for substantive clarification, we also considered the number and type of clarification being asked of qualitative and quantitative research applications. In the case of the REB (Table 3), 61% of the applications with method designated as qualitative required substantive clarification. In the applications that had indicated a mixed methods approach, 58% of requests for clarification were also designated as substantive. What is interesting to note, however, is that the percentage of requests for substantive clarification drops significantly for applications indicating a quantitative design. Specifically, the REB requested substantive clarification in only 40% of applications using quantitative methods. These numbers indicate that qualitative research proposals submitted to the REB were subjected to a greater number of substantive clarification requests.

REB request for clarification	Qualitative	Mixed method	Quantitative	Unclear	Total
No clarification	24	5	9	9	**47**
Surface	46	10	18	12	**86**
Substantive	120	21	19	10	**170**
Unclear	6	0	2	1	**9**
Total applications	**196**	**36**	**48**	**32**	**312**

Table 3: REB clarification for applications proposing particular methods [24]

In the case of qualitative methods, that often require researchers to build and maintain a high degree of familiarity with their human participants, REBs and RRCs may be especially cognizant of the necessity of researchers to establish a plan and strategies to secure anonymity, confidentiality, and in the case of minors, an acceptable degree of risk. The number of requests for substantive clarification of qualitative research applications in the database may reflect this stance. Analysis of the interview data, however, suggests that the review of qualitative applications is a more complicated matter. [25]

In the interviews, REB participants were asked to discuss and comment on their perceptions of the effectiveness of the REB ethics review process and to explain their individual, often idiosyncratic process of reviewing applications. In describing the feedback s/he regularly provided to researchers when reviewing applications, one participant stated "there was less to question in the quantitative designs." S/he claimed that in the quantitative applications "it was very clear that [prospective researchers] were going to use random sampling or a more objective way of acquiring the sample." The participant described concerns with qualitative studies that were using "such a small sample that the anonymity of the person and confidentiality were a big concern because their participants' identity [could be] revealed" (Transcript, p.7 of 36). Qualitative research often demands a *closeness* central to interpretive research but foreign to positivist traditions that call for a particular kind of objectivity, randomness, and distance between researcher and researched. It is arguable that qualitative research may appear/be problematic as a result of the degree of closeness it often demands. However, REB reviewers need to be aware that a close connection between the researcher and the researched is often a requirement of qualitative methods and not in and of itself unethical. Anonymity, only guaranteed when researchers themselves cannot connect data to participants, is an uncommon expectation of interpretive research. Based on research purpose and context, anonymity and confidentiality may not be essential or desired and participants involved may experience oversight in this area as misguided and possibly demeaning (TILLEY & GORMLEY, 2007; ZENI, 2001). [26]

A second interview participant spoke extensively of concerns about qualitative, school-based research focused on youth. The participant indicated that her/his

view of "young people" and the "teenage period" influenced how s/he approached
the review of applications involving youth:

> "I would be very careful with school-based research because, as I say, I have
> concerns about young people ... Young people are different. They really are. To the
> best of my limited understanding, humans are the only species that have this period
> of, this teenage period in which young people are beyond the physical limitations of
> being very young but are clearly not fully mentally developed to cope with the
> world. ... I see children as being, whatever the age group, they're automatically
> vulnerable." (Transcript, pp.16-17 of 25) [27]

This reviewer's beliefs about young people and children in general will be an
important factor in how s/he reviews school-based research applications. The
TCPS defines school populations as vulnerable populations. However, the stance
this reviewer takes is problematic in that it can lead to an overemphasis on
vulnerability when it may not be warranted. In the case of students in their latter
years of high school, what this reviewer conceives of as essential procedure for
their protection, potential participants may experience as unnecessary and
patronizing. TCPS policy and REB practices must reflect age-related laws in
place in Canadian/provincial jurisdictions. Students 16 years and older by law can
leave home, refuse medical treatment, and have the right to protect their privacy
and allow access to their personal information (JUSTICE FOR CHILDREN AND
YOUTH, 2006). Considered in this light, the reviewer's belief that all children
"whatever the age group" are automatically vulnerable, however sincere, may be
overly stringent and with the likelihood of culminating into a request for substan-
tive clarification when not necessary. Although one might argue that increased
scrutiny is not in and of itself wrong when considering research and youth, an
over emphasis on participants' vulnerability, based on age/student category alone
rather than better protect potential participants, may create obstacles to research
(e.g., extended time requirements) that ultimately leads the researcher to
reshape her/his plans (e.g., change in participant pool, research focus). [28]

A further complication in the review of qualitative research applications occurs
because TCPS policy and procedures reflect an assumption that a researcher
proposing qualitative research can *tell all* up front, that what is described in an
REB application will actually take place as outlined. However, this is often not the
case in qualitative research traditions because of the emergent design that goes
hand in hand with interpretive research (HEMMINGS, 2006; SSHWC, 2006; Van
den HOONAARD, 2002). In our analysis of the substantive clarification requested
of qualitative research applications, occasions were noted when this assumption
was reflected in the reviewer's response. For example, in one application a
researcher, who was also an experienced teacher bound by a professional code
of ethics to do no harm to students, described the use of dialogue journals as a
data collection method. The plan was for elementary-aged participants to write
about their schooling experiences and the researcher to read the student material
and write personalized responses, a process common in the applicant's everyday
practice. The REB clarification asked the researcher to "Describe the sorts of
responses you anticipate making to participant journal entries." COUPAL (2005,

para. 30) reminds us that "[t]eachers are trusted to serve the best interests of the students in their care and to abide by a professional code of ethics with their colleagues" and asks, "Why is this trust withdrawn when a teacher is also conducting academic research?" [29]

It is the responsibility of the REB to work towards minimizing any potential risk to this group of vulnerable participants. However, asking this researcher to construct responses to imagined journal entries of potential participants is at the least questionable if not an unproductive use of the researcher's time and may ultimately contribute little to the protection of the school-age children (see ROTH, 2005, for additional examples of problematic review comments). If other aspects of the application indicated a lack of sensitivity or knowledge on the part of the researcher then a need for this question might arise but in isolation such a focus appears misguided. Some level of trust that this researcher will respond appropriately to what the students write must be established as a result of the comprehensive application submitted, which is representative of the researcher's motives and plans. [30]

REB participants interviewed talked of a divide among board members with respect to individual approaches taken with qualitative research applications. One participant stated "There's an unhealthy skepticism ... an unnecessary level of skepticism on the part of some people just to be skeptical, just to be difficult at times because they don't understand the [qualitative] research or do not like that type of research" (Transcript, p.8 of 38). The participant concluded the interview with a call for "real strong education on the part of people who are on review boards." SSHWC (2006) also emphasized the need for the review of proposed research to be conducted "by those who have expertise in the relevant paradigm" and encouraged REBs to solicit members "who are familiar with qualitative methods" (p.21). However, we wonder if it would ever be possible for each member to be educated enough about various qualitative research traditions and whether or not the expectation of what an REB can accomplish is reasonable if you consider, among other things, the extensive and growing body of interpretive methods. Educating on the surface, technical end, providing members with strategies to review qualitative research may be possible, but to provide comprehensive education to individual members to ensure they develop the knowledge necessary of interpretive methods to better understand the substantive ethical issues is likely to be quite a different and difficult challenge.

RRC request for clarification	Qualitative	Mixed method	Quantitative	Unclear	Total
No clarification	9	2	3	3	**17**
Surface	4	3	3	2	**12**
Substantive	13	6	17	13	**49**
Unclear	5	2	3	6	**16**
Total applications	**31**	**13**	**26**	**24**	**94**

Table 4: RRC clarification for applications proposing particular methods [31]

Over the time period the applications were submitted, the RRC went through a formalization stage revising policies and research application forms. The fact that we categorized 25% of the applications as Unclear reflects this. The number of RRC requests for substantive clarification with respect to proposed method (Table 4) is more evenly distributed across methods than evidenced in the case of the REB. The applications proposing qualitative and mixed method research, although proportionately receiving fewer substantive clarification requests than quantitative studies (64%), still received such requests in 42% and 46% of the applications respectively. The higher percentage of substantive clarification required of quantitative designs may have reflected the RRC concerns with large quantitative studies that appeared more intrusive in terms of student time and privacy (e.g., request to collect saliva). [32]

Both interview comments from RRC members and the clarification requests included in the applications suggest that the RRC apply criteria to research applications that emphasize method. First, the school board application forms themselves ask researchers to identify the "hypothesis" and "sample sizes" indicating a presumed quantitative paradigm. Specific clarification requests given to qualitative research applications included: "The question 'Comment on the role of learning strategies' seems vague and quite open," and "The sample group of four elementary schools seems small and therefore potentially unreliable." These two clarification points (among others) seem to suggest that committee members are reviewing applications with positivist criteria in mind regardless of research paradigm. Qualitative research is often context specific and "the researcher's priority is to understand *that* social setting involving *those* people at *this* time" (SSHWC, 2006, p.11, see also SSHWC, 2008a). Data collected through open-ended interviews or involving a small number of participants will likely be undervalued when reviewed from a positivist perspective. An RRC member when describing the review of qualitative research suggests it was the type of research "that causes a pause, no matter what it's about" (Transcript, p.15 of 34). [33]

For the most part, applications proposing teacher research required substantive clarification from both institutional review bodies. Data indicate that across both review boards the depth of knowledge about, and support for, teacher research varied. An REB participant commented that the board members are "ambiguous

about teacher research" and they often "don't get it." The participant explained that some REB members were "treating it like it's a criminal offense that the teacher wants to collect data on her own students. I see that as minimal risk and others don't" (Transcript, p.27 of 36). Comparable sentiments were voiced in the RRC interviews. A participant described teacher research as "a real divided issue." S/he went on to explain that members on the review committee did not always address the issue of teachers conducting research in their classrooms consistently. In a similar vein, ANTHONY (2004) describes his exasperation with the REB review of two teacher research applications: "(nearly) the same proposals [were being] judged in quite different and arbitrary ways" (para. 8). [34]

In particular, the REB and RRC were very concerned with the teacher-researcher's dual role and the power issues arising from the classroom context (CUBAN, 1992; WILSON, 1995; WONG, 1995). A main concern stated in this regard related to possible coercion of students (intended or unintended) to participate in their teacher's research. It was suggested that even when a teacher-researcher is able to differentiate the dual roles, students may not be able to do the same. As one participant suggested, students stand on "muddy ground" and may be anxious that non-participation in the research might result in the decline of their relationship with their teacher and/or school grades. [35]

In one application, a teacher-researcher was proposing research focused on her/his elementary students' use of computers and the ways in which s/he might appropriately support their learning. Video-taped observations, photographs, and students' electronic journal entries were to be included in the data. However, the researcher did not address issues related to ensuring participation was voluntary or the problematics of teacher/student relationships and power differentials. Not surprising, the REB decision was Clarification Required which included a reviewer's long explanation to the applicant explaining why appropriately completing the section related to these issues is "the crux" of the ethics proposal. [36]

When vulnerable populations like school-aged children are the required participants, concerns related to risk often become central in the review process. In the case of the REB, the TCPS addresses the "standard of minimal risk" in the following way:

> "if potential subjects can reasonably be expected to regard the probability and magnitude of possible harms implied by participation in the research to be no greater than those encountered by the subject in those aspects of his or her everyday life that relate to the research then the research can be regarded as within the range of minimal risk. Above the threshold of minimal risk, the research warrants a higher degree of scrutiny and greater provision for the protection of the interests of prospective subjects" (CIHR, 1998, Section 2B). [37]

In the case of school-aged children, questions arise as to whether or not they are able to comprehend the degree of risk associated with their participation and therefore make an informed decision in regards to consenting to participate or not. This is an important consideration in the review of school-based applications,

however, as HEMMINGS (2006) suggests, "When board members are uncertain about risks, they may become overly protective in their assessment of a project's dangers" (p.14). [38]

It is understandable that REB reviewers continue to grapple with what constitutes risk, harm, and the application of appropriate proportionate review. Debate on these issues has constituted a major portion of discussion related to the TCPS and qualitative research (CONNOLLY & REID, 2007; SSHWC, 2005). The latest report from the SSHWC (2008b) states, "[t]he research ethics community could benefit from greater guidance around assessing and categorizing risk" (p.2). To this end, the report proposes the addition of new text as a first section to Section C of the TCPS on "Analysis, Balance, and Distribution of Harms and Benefits." [39]

Keeping children safe from undue risk is a priority for the RRC; however, the degree of risk assessed is also influenced by the fact that school boards and members of the committee answer to constituents that include administrators, parents, and the general public:

> "The other concern [in relation to school-based research] is that we are a public body and basically we serve parents. You [RRC members] have to be very sensitive to what [research] parents as a group would really feel comfortable with. It's that balance between what you [the reviewer] think you would like to do, and what your broader community would feel comfortable with that becomes, I think, one of the major issues." (Transcript, pp.7-8 of 24) [40]

In the case of qualitative research, increased risk is often associated with the degree of closeness between researchers and participants. Teacher-researchers conducting research involving students they teach falls solidly within the *intimate* range. However, research teachers conduct in their classrooms is not necessarily always more risky than what students experience in the every day of school life. Risks/harms vary based on research focus and research design. [41]

Problems emerge when reviewers interpret all research teachers conduct in classrooms involving their students as moving beyond the minimal risk threshold. "So yes I would say, again, ... that the REB is starting to blow up minimal risk and make it more expansive than, you know, what I think it was intended for" (Transcript, p.27 of 36). [42]

Misapplication of the "above the threshold of minimal risk" criteria becomes counter productive when it creates an onerous review process that results in (among other things) researchers choosing to avoid asking students/children to participate in research at a time when student perspectives are often not represented, but needed, in educational research (NIETO, 1994). The review process in such cases can be seen as *shaping* what might ultimately be researched (Van den HOONAARD, 2006). Although teacher research poses particular kinds of issues, and certainly cases exist where review boards rightly identify problematic areas and cause for concern, we argue, when identified,

teacher-researchers can often find ways to address issues related to ethical concerns in appropriate ways. We agree with MILNE (2005, para. 33) that:

"A deeper understanding of the complexities of classroom life, establishing collegial research relationships between teachers and students, and providing opportunities for students to have a greater say in their learning will not come from a continued separation of the researched and the researcher." [43]

6. Conclusion

6.1 Concluding thoughts

We agree that some form of institutional ethics review is necessary. However, care is needed to ensure that the institutional process is an informed process that, in the final analysis, supports respectful, ethical school-based research. Institutional ethics/review boards need to emphasize, through education initiatives and otherwise, substantive issues related to ethical research practices, while continuing to question review procedures that overemphasize the technical, surface elements of research applications that may ultimately hinder the work of researchers, without advancing ethical research practices in substantial ways. [44]

Considering the differences across universities, membership on REBs, and types of research, possibilities for dealing with the challenges of ethics review will need to be context specific and involve the people affected (e.g., faculty members, student-researchers). The emphasis that has been given nationally and internationally to university ethics review of research and qualitative research specifically, as evidenced in the work of SSHWC (2008a, 2008b) and the growing number of countries represented in the discussion (e.g., LOUW & DELPORT, 2006), is important and provides guidance for those of us insisting on change. However, each local institution has to examine its interpretation and application of institutional policies and procedures, such as the TCPS and current REB practices, and create ways in which they can respectfully review and promote research that crosses multiple paradigms (see CONNOLLY & REID, 2007). Part of the educational initiative for school board research review committees needs to emphasize the value of small, qualitative projects in school contexts addressing questions related to teacher pedagogy and students' curricular and educational experiences. [45]

We draw from this research suggestions that may be useful for those of us who apply to conduct qualitative research involving human participants and to institutional review boards with oversight of such applications. In the latter case, members of institutional bodies reviewing qualitative research, although not needing to be expert in all methods, must have knowledge enough to make appropriate review decisions or recommend the involvement of others who can provide an informed contribution to the review. At a minimum, reviewers need to be aware and acknowledge the limitations of their expertise and what influences their assessments of research applications. It may be useful, when institutional boards are providing educational opportunities for their membership, to emphasis

how members' personal and research experience as well as academic method-related knowledge can influence their review of an application (TILLEY, 2008). As well, review board members' continuous examination and discussion of what constitutes surface and substantive clarification is essential. [46]

When constructing applications, researchers proposing qualitative school-based research need to explicitly demonstrate their expertise in this area and their sensitivity to possible emergent ethical issues as research proceeds. Our efforts in this regard can also contribute to the education of individual reviewers. Faculties of education need to begin to pay serious attention to the formalization of research review procedures occurring in school districts. This formalization has great potential to affect the future of school-based research involving faculty members and our students. [47]

The requests for clarification analyzed suggest that teacher-researchers seeking clearance to conduct research involving the students they teach need to state explicitly in their applications that they understand they are positioned in dual roles as teacher-researcher and acknowledge they have a professional obligation to uphold. They need to indicate they are aware of the power dynamics always in play in their teaching/research context and that they will be sensitive to the possible ethical issues that might arise and that they will deal with such issues respectfully if/when they occur (see McGINN & BOSACKI, 2004, for discussion of graduate student-practitioners, dual roles, and ethics). They may have to convince their RRC that student perspectives are important to have represented in educational research and that what they propose is *worthwhile* research that takes reciprocity to heart. [48]

6.2 What next?

Inquiry into the implementation of state/provincial and institutional ethics policies and ethics review processes, while growing, is for the most part, distanced from the actual everyday work of institutional review boards. Conducting research focused on institutional policies and procedures can be characterized as a process of *researching-up* (LEVINE-RASKY, 2008; ROMAN, 1993). The REB and other university ethics review boards are part of a hierarchical structure. Such institutional review boards provide research oversight and have influence over the lives of individual faculty members and other bodies connected to the university who want to conduct research involving human participants (see MUELLER, 2007, for a forceful and compelling critique of the "ethics industry"). [49]

Empirical research focused on the inside workings of REBs or RRCs, which would provide particular kinds of knowledge related to research/ethics review, while necessary, is rare. In this case, Susan was given permission to access research applications after completing an ethics review process for each institution and gaining approvals from both review bodies. [50]

If we are to move forward and make change in regards to ethics review of research, and in particular appropriate review of qualitative research, in the

Canadian context, then we must turn our lens inward and inquire into the practices of the institutions that may say nay or yea to research. [51]

Additional research is needed in this area; however, researchers' face challenges in finding ways to access institutional bodies such as REBs and school board RRCs. Our hope is that with the development of comprehensive communication lines between faculties of education and school boards and the building of meaningful relationships between individuals responsible for research oversight in such institutions might come a willingness to collaboratively research our institutional review procedures and policies to promote better understanding of the structures already in place that work well, and the areas where change is necessary to support school-based research in the future. [52]

Acknowledgments

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