



Research Ethics Board

REB Guide for Educators and Other Practitioner-Researchers¹

Introduction

'Practitioner-researchers' are those who conduct research related to their own professional practice. When such research involves the participation of individuals with whom practitioners have practice-based relationships — e.g., students, colleagues, employees, or clients — professional codes of conduct are not sufficient to guide research activities. Practitioner-researchers associated with Vancouver Island University are also required to adhere to [*the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans \(TCPS2 2018\)*](#).

These guidelines are intended to assist educators and other practitioner-researchers in understanding and accounting for some of the specific ethical issues associated with conducting research involving participants with whom they have practice-based relationships. Foremost among these are *conflict of interest*, *undue influence*, and *privacy risks* associated with using for research purposes information and/or materials derived from professional practice.

Conflict of interest, undue influence, and dual-role positions

Conflict of interest is "the incompatibility of two or more duties, responsibility, or interests (personal or professional) of an individual or institution as they relate to the ethical conduct of research, such that one cannot be fulfilled without compromising the other" (TCPS2 Glossary; see also TCPS2 Article 7.4). When conducting research, practitioners should be aware that their duties as a practitioner may not always be perfectly compatible with their research agenda. Such tensions should be disclosed and proactively managed. For example, an educator's primary responsibility is to fulfil their duty as an educator. An educator's research agenda may conflict with this duty, such as when the research takes time away from students' learning activities, or when an educator introduces an experimental teaching technique for research purposes that may be less effective than well-established teaching practices. The REB and researchers should ensure that an educator's research agenda results in as little interruption or diminishment of students' prior education entitlement as possible, and only to the extent justified by the benefits that may be derived from the research.

¹ Aspects of this guide were adapted from the Vancouver Island University REB, "*Guidelines for Educators Conducting Research Involving Their Own Students*" (2018), the University of Victoria Human Research Ethics Office, "*Guidelines for Ethics in Dual-Role Research for Teachers and Other Practitioners*" (2007), and the "*Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*" (TCPS2 2018).

Undue influence may arise when research participants are recruited by a practitioner who is in a position of authority, such that individuals recruited for research may feel obligated or unduly influenced to follow the wishes of those who have some form of power or control over them. The influence inherent within such “power-over relationships” should be judged from the perspective of participants (TCPS2 Article 3.1).

For example, undue influence may arise when:

- A staff member may believe that declining to participate in their employment supervisor’s research may result in loss of work-related opportunities;
- A staff member may believe that participating in their employment supervisor’s research will result in work-related advantages;
- A patient may believe that they will not receive the same standard of care if they decline to participate in their healthcare provider’s research;
- A student (and/or their guardian/s) may believe that their education experience will be privileged if they agree to participate in their teacher’s research;
- A student (and/or their guardian/s) may fear that declining to participate in their teacher’s research may negatively impact their course grade or the quality of their education experience; or
- A student may be unable to distinguish being told by their teacher to submit a class assignment as part of regular pedagogy from being asked by their teacher to submit an assignment for research purposes.

The REB and practitioner-researchers must be especially attentive to potential for undue influence when involving children or youth in research. For example, children at school can be a ‘captive audience’ for research, particularly when the research is conducted by their own teacher. For these reasons, it is important for practitioner-researchers to demonstrate to the REB that potential for conflict of interest, undue influence, and other risks are warranted and justified. Convenience for a practitioner-researcher is not sufficient rationale to conduct research in contexts where a power-over relationship exists. Where involvement of such populations is necessary and warranted, practitioner-researchers must employ strategies that minimize and effectively manage such concerns (see, e.g., TCPS2 Articles 3.1 and 7.4).

Strategies for minimizing undue influence

Strategies appropriate for minimizing undue influence depend on the nature of the research and its design. Such safeguards should begin at the time of initial recruitment, extend through the informed consent process, and include ongoing opportunities for withdrawal without undue influence (see, especially, TCPS2 Articles 3.1-3.3). Where research involving power-over relationships is warranted, strategies for the management of undue influence must be clearly

described. Assurances such as ‘participation will be entirely voluntary,’ ‘there will be no negative consequences,’ and ‘participation will be completely anonymous’ are not sufficient. Researchers and REBs must be attentive to *how* researchers will ensure that participation is free of undue influence, *how* the researcher will ensure that no negative consequences will result from participation, and the *specific measures* proposed to protect the privacy of participants.

For example, some strategies to avoid or minimize undue influence include:

- Exclude from the study population individuals with whom the practitioner-researcher has a power-over relationship, such as by conducting the research at a different school, in a different classroom, and/or by excluding the practitioner-researcher’s own employees, clients, or patients as participants;
- Limit activities to regular professional practice that would take place even if the research were not conducted, and then later, after the power-over relationship has concluded, seek consent of prospective participants for the *secondary use* of information and materials derived from professional practice for research purposes (see, below, for information on *secondary use*);
- Enlist the aid of a neutral third-party who is not in a power-over relationship with participants to assist with recruitment, consent, data collection, and withdrawal processes;
- Employ ‘opt in’ rather than ‘opt-out’ recruitment techniques, such as by having a neutral third-party distribute an (opt-in) invitation to contact them if individuals would like to know more about the research, rather than directly asking individuals to participate in the research (thus forcing people to ‘opt-out’ of the research if they do not wish to participate);
- In recruitment and consent materials:
 - Disclose any conflict of interest inherent in dual-role positions;
 - Disclose potential for undue influence and describe the safeguards that would be employed to minimize undue influence;
 - Assure participants that their choice of whether to participate in the research would have no effect on the outcomes of the professional practice or their relationship with the practitioner;
 - Inform prospective participants that they can withdraw from the research and clearly explain the process of withdrawal and limitations of withdrawal; and
 - Avoid emotional appeals or statements regarding how important the research is to the practitioner-researcher or their organization, and especially avoid associating participation in the research with an entitlement such as health care or education (e.g., avoid making assertions such as “your child’s education will improve if they participate in this research”).

Secondary use

“Secondary use refers to the use in research of information or human biological materials originally collected for a purpose other than the current research purpose” (TCPS2 Glossary). For example, “if data are collected for the purposes of [program evaluation or quality improvement] but later proposed for research purposes, it would be considered secondary use of information not originally intended for research...” (TCPS2 Article 2.5; see also TCPS Chapter 5, Section D). In some contexts, with REB approval, a practitioner-researcher may use for research purposes information and/or materials derived from the regular professional practice. Doing so requires the researcher to clearly distinguish activities and materials that are part of regular professional practice from the *secondary use* of information and/or materials for research purposes.

For example, with approval of the REB, an educator may use for research purposes information and materials derived from regular teaching practice provided that such information and/or materials would have been produced even if the research were not to occur. Information and/or materials derived from regular teaching practice might include, for example, academic assignments completed by students, grades, and journal entries of the teacher, etc. With REB approval, such information and materials may later be used for research purposes provided that these products were derived from regular teaching practice that did not involve a research intervention (discussed below).

Similarly, in other professional contexts, information and/or materials such as reports, professional records, and journals created as part of regular professional practice for program evaluation or improvement purposes may later be used for research purposes in accordance with secondary use provisions of the TCPS2 (Articles 5.5A, 5.5B).

Distinguishing between regular professional practice and projects involving a research intervention

“Regular teaching practice” in this context generally refers to academic activities, exercises, and assignments completed as part of regular curriculum delivery and evaluation. If an educator were to introduce for research purposes an activity beyond regular teaching practice, the activity would be considered a ‘research intervention.’ Of course educators often try different teaching techniques as part of their ongoing reflexive practice. When reviewing applications for the secondary use of data, the REB is thus particularly attentive to whether student activities are limited to regular teaching practice or whether students engage in a research intervention, such as an experimental teaching technique.

In some studies, the research design involves use of information or materials associated with both professional practice and research interventions. In such cases, practitioner-researchers must

clearly distinguish between data derived from regular professional practice and data associated with a research intervention. For example, an educator may propose a study involving:

- 1) A focus group conducted outside of class time and involving a subset of the educator's students (a research intervention); and
- 2) Use for research purposes student assignments derived from regular teaching practice (secondary use).

Both of these techniques would require consent/assent to use the data for research purposes. A significant difference between the two techniques is that because student assignments would be completed as part of regular teaching practice, consent for the *secondary use* of these assignments for research purposes may be sought after conclusion of the school year or semester, preferably after any 'power-relationship' has ended. Providing an opportunity for student/guardians to 'opt into' the research after the conclusion of the school year or semester — e.g., after the 'power-over relationship' has ended — can be an effective strategy to minimize undue influence.

Participant observational research

Participant observational research is “the study of human acts or behaviours in a natural environment in which people involved in their normal activities are observed with or without their knowledge by researchers who participate in some way in the activity” (TCP2S Glossary). Observed individuals are research participants when information based upon their observation is used for research purposes.

When reviewing proposals for participant observational research, REBs are attentive to whether information derived from observation would be associated with identifiable individuals and/or groups, and particularly attentive to how data would be managed if an individual or part of a group chooses not to participate in the research or withdraws from the research. In participant observational research, *prior* consent of participants is required if a researcher proposes to introduce an intervention for research purposes.

Secondary use of participant observational data

Provided that observations are recorded as part of regular practice, with REB approval a journal used to record observations may later be used for research purposes in accordance with secondary use provisions of the TCPS2 (Articles 5.5A, 5.5B). In some contexts, the REB will consider alterations to normal consent requirements in accordance with TCPS2 Articles applicable to the context considered (e.g., Articles 3.7A, 10.3). In the context of an educator proposing to involve their own students in their research, the REB recommends two options for the *secondary use* of participant observational data for research purposes:

1) The educator records observational data as they normally would as part of their regular teaching practice. Then, later, the educator seeks the consent of students/guardians for the secondary use of the observational data for research purposes. This approach would be appropriate when data is associated with individual students, students are directly or indirectly identifiable, and/or use of the data for research purposes may create risk of harm for participants.

2) The educator records observational data as they would normally as part of their regular teaching practice. Then, later, with REB approval, the educator uses the observational data for research purposes without consent of student/guardians. In accordance with TCPS2 Article 10.3, the REB may waive normal requirements for consent provided that data are not associated with individual or identifiable groups of students, data are neither directly nor indirectly identifiable, and the secondary use of data for research purposes does not create risk of harm.

Both of the options described above would require REB approval.

Self-study

Self-study typically involves scholarly reflection on one's own experiences in a particular context. The researcher may thus be the sole participant, such as a researcher writing a self-study of their experience camping *alone* in the woods. Self-study done for the purpose of scholarly activity involves at least one participant, the researcher themselves, and thus requires REB review. In such cases, REBs and researchers should be attentive to the level of risk the researcher is willing to assume.

Self-study may also involve others with whom the researcher interacts or studies, where a researcher's reflections and/or analyses are based in part on observations of, interactions with, or information about other individuals. The nature of the information derived from such observations and/or interactions determines whether the self-study involves participants in addition to the researcher. The REB is ultimately responsible for determining whether a project involves other participants based on the nature of the information to be collected, research instruments (e.g., journal prompts), and the purpose of the project. An important consideration is whether it would be possible to address the research purpose without information derived from those with whom the researcher interacts and/or observes (e.g., a project intended to assess the efficacy of a teaching strategy would very likely require the collection of information and/or materials from student participants).

Where a project involves participants in addition to the researcher, the REB must assess how the researcher proposes to manage the consent process. Where practicable, researchers must seek

participants' prior consent to participate in a self-study. If information and/or material on which self-study is based — e.g., journal entries, recollections, student assignments — are/were originally collected for a purpose other than research (e.g., pedagogical purposes), the information may later be used for scholarly purposes as a secondary use in accordance with TCPS Articles 5.5A and 5.5B. In some circumstances, the researcher may also apply to the REB for an alteration to consent requirements in accordance with TCPS2 Article 3.7A. The REB will not grant an exception to consent requirement unless all criteria in Article 3.7A are clearly met (see below).

Regardless of whether they meet the definition of participants, people mentioned in a self-study are entitled to privacy protections. Researchers and REBs should be attentive to whether the scholarly activity could lead to the identification of individuals and thus may raise risks related to loss of privacy. As with any work that raises risks associated with direct or indirect identification, the researcher and the REB should work together to minimize these risks (e.g., remove indirectly identifiable information).

Alterations to Consent Requirements — Article 3.7A

The REB may approve research that involves an alteration to the requirements for consent set out in Articles 3.1 to 3.5 if the REB is satisfied, and documents, that all of the following apply:

- a. the research involves no more than minimal risk to the participants;
- b. the alteration to consent requirements is unlikely to adversely affect the welfare of participants;
- c. it is impossible or impracticable (see Glossary) to carry out the research and to address the research question properly, given the research design, if the prior consent of participants is required;
- d. in the case of a proposed alteration, the precise nature and extent of any proposed alteration is defined; and
- e. the plan to provide a debriefing (if any) that may also offer participants the possibility of refusing consent and/or withdrawing data and/or human biological materials, shall be in accordance with Article 3.7B.

Collecting and using photographs, audio, and videos recordings

Collection and use for research purposes of photographs, audio, and video recordings raise several ethical issues that researchers must address in their application for ethical review. Because such data collection techniques often raise risks related to loss of privacy, the REB must be convinced that collecting and using such data is warranted and necessary to achieve the purpose of the research. If a researcher intends to distribute photographs, audio, and videos recordings in which individuals are depicted, methods for doing so must be fully described to the REB and disclosed to

prospective participants as part of informed consent. Researchers are cautioned not to take photographs or otherwise record individuals for research purposes without their consent/assent to participate in the research, in addition to any consent that may have been provided to the school. When such recording techniques are proposed in the context of classrooms, researchers are required to explain to the REB and prospective participants how they will manage situations in which only some individuals in a classroom have provided explicit consent to be recorded by photograph, audio or video, or where one or more participants withdraw from the study after photographs, audio, or video have been recorded.

Age over which parental/guardian consent is not required

Capacity to consent to participate in research is based on the cognitive capacity of the participants, not their age. Depending on risks and complexity of the research, the REB typically requires parental/guardian consent for participation of children under 15 years of age. When proposing to involve such children in research, researchers are required to submit to the REB recruitment and consent information for parents/guardians, as well as age-appropriate recruitment and assent information for children.

Depending on the complexity of the study and cognitive capacity of the children, it may be appropriate to employ a single consent form for both parent/guardians and children; or, for projects of greater complexity and/or involving younger children, separate forms for parent/guardians and children may be required. For children under the age of seven, a simple verbal script can be used to explain the research to the children and seek their assent, as well as other age-appropriate mechanisms that account for the agency of the children in the assent process. In some situations, it may be appropriate for the researcher to ask parent/guardians to discuss the research with their child and ensure that the child understands that they can freely choose whether to participate. Where parental/guardian consent is required, assent of the child/youth is also required.

For minimal risk studies, the REB will typically accept that youth 15 years of age or older have cognitive capacity to provide consent to participate in research on their own behalf. Nonetheless, when proposing to involve such youth in research, researchers are encouraged to inform parents/guardians that they intend to invite their child to participate, and encourage the parents/guardian to discuss the research with their child. School Districts in BC typically require parental/guardian consent when the research is proposed to occur at a school and/or involve students while under the care of school personnel.

Obtaining permission from schools, school districts, and other organizations

Researchers are typically required to acquire permission to conduct research in the professional settings with which they are associated, such as School Districts, Health Authorities, and companies.

For example, if research is to be conducted within a school, or involve students while under the care of school personnel, permission from the School District and school principal(s) is typically required. Researchers should determine requirements for conducting research in their respective professional settings prior to submitting an REB application for ethical review.

Researchers proposing to conduct research involving any of the criteria listed above are encouraged to closely read Chapter 9 of the TCPS2 prior to applying for ethical review. Engagement with the governance structures of Indigenous communities is required where:

- The research is likely to affect the welfare of an Indigenous community, or communities, to which prospective participants belong;
- The research would be conducted on First Nations, Inuit or Métis lands;
- Criteria for recruitment of participants includes Indigenous identity;
- The research seeks information from participants regarding an Indigenous community's cultural heritage, artefacts, traditional knowledge or unique characteristics;
- Indigenous identity or membership in an Indigenous community will be used as variable in analysis of the research data; or
- Interpretation of research results will refer to Indigenous communities, peoples, language, history or culture (TCPS2 Article 9.1).

Recruiting participants through a school or other organization

REBs and researchers must be attentive to the privacy of prospective participants. For example, privacy legislation in BC prohibits the use of email addresses (personal information) for research purposes without prior consent to do so unless such email addresses are already publicly available. Unless prior consent was provided, it would be contrary to privacy legislation for a school or other organization to provide the names and email addresses of individuals with which they are associated (*Freedom of Information and Protection of Privacy Act*). Note that email addresses of educators in BC are typically publicly accessible.

To safeguard the privacy of prospective participants, a school or other organization may distribute a recruitment advertisement to prospective participants on behalf of a researcher (e.g., social media post, newsletter section, bulletin board poster, VIU Learn, etc.). If proposing such a strategy, the recruitment instrument should invite prospective participants to directly contact the researcher if they would like to learn more about the research. This way, administration of the school or other organization would not know who participates in the research, and thus risk of undue influence is minimized.

In some situations, it may be appropriate for an educator to initiate contact with prospective participants. For example, it may be permissible for an educator to ‘send home’ with students a paper-copy letter that invites parents/guardians to review a consent form, discuss with their children, and return a signed copy of the consent form to a neutral third-party if both the child and the parent/guardian agree to participate.

Additional resources

Practitioner-researchers are encouraged to review TCPS2 Articles relevant to their research, e.g.:

- See Articles 3.1 and 7.4 for information on voluntariness of consent, undue influence, dual roles, and conflict of interest;
- See Articles 5.5A and 5.5B for information on secondary use;
- See Articles 3.7 and 10.3 for information on alterations to consent requirements.