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Introduction

This IRB workshop supplement covers research ethics considerations for Action Research (also referred to as Self-Reflective Research or Practitioner-based Research) typical in K-12 education settings where the subjects may be students who are also minors. Subjects may also include parents, teachers, and administrators. The information contained here pertains to any educator conducting research with students. However, educators working in preschools, in schools but not in the classroom (e.g., as a counselor or speech therapist), or in other clinical settings may want to contact their college IRB representatives with any special concerns or issues that are unique to these settings and that are not addressed here.

The focus of this document is to help graduate students and their advisors prepare an IRB protocol that addresses some of the ethical issues that are typically associated with action research involving minors, including an imbalance of power between the teacher/researcher and the student/subject, obtaining meaningful consent and assent in the classroom context, and conflicts of interest related to a teacher/researcher’s dual role. The IRB’s tasks are to weigh the benefits of the research against the risks, to determine whether the researcher has ensured the voluntariness of the research, and to assess the consent and assent process. The IRB does on occasion identify problems with proposals that might seem benign or minimal risk to the researcher. There are problems unique to school-based research that novice researchers may not be aware of. If you receive comments or feedback from the IRB, it’s important to bear in mind that the IRB’s intent is not to question your individual values or professional integrity, but to maximize benefits and minimize harm to the subjects of your research.

Is Practitioner-based Work Research?

What the Literature Says

San Jose State University’s Policy for the Human Research Subjects (2008) defines research as a systematic investigation designed to contribute to generalizable knowledge. The task of administrators is to determine whether a proposed project meets this definition and needs to go through an IRB review. Some useful definitions of action research from scholars within the field suggest that SJSU policy is applicable to action research conducted by students in a university setting:

“Mills (2003) defined action research as any systematic inquiry conducted by teachers, administrators, counselors or others with a vested interest in the teaching and learning process, for the purpose of gathering data about how their particular schools operate, how they teach and how students learn” (as cited in Nolen & Vander Putten, 2007, 401).

“Action research is about people reflecting upon and improving their own practice by tightly inter-linking their reflection and action and making their experiences public to other people concerned by and interested in the respective practice” (Owen, 2004, 23).

The above definitions point to both the systematic nature of action research as well as its potential for generalizability. Inquiry is usually conducted by means of a systematic intervention and the
use of standard data instruments such as surveys, interview questions, and intake sheets for classroom observations. Many teachers, especially those pursuing an advanced degree or other academic credentials, wish to share successful self-reflective practices with other educators and thus contribute to the larger body of knowledge dedicated to the process of teaching and learning.

While action research is an acknowledged form of research within the field of education that can positively affect pedagogical practices, when this research is incorporated into a degree program, researchers have a duty to be aware of the dual role they perform – one as teachers and service providers and the other as students and researchers working towards an advanced degree. Research conducted in the university setting is also subject to a greater vetting process than would be day-to-day classroom practice, including IRB review.

**Addressing Conflict of Interest**

If you are a teacher or administrator working with students who are minors, your IRB proposal should clearly outline whether or not you intend recruit students to whom you provide services. Your role at the school or institution should be clearly described.

If you do plan on recruiting students that you serve, the protocol cannot state that there is no conflict of interest. When the subject pool is the researcher’s own class, for example, participants are often recruited out of convenience and there may be more benefit to the researcher than to the participants. Past history and a continuing relationship with students can also bias a researcher and affect whether or not free informed consent and assent can truly be achieved. As Nolen & Vander Putten (2007) state “when the researcher is a member of and plays a role in a system under investigation, issues surrounding role definition, role ambiguity, and role conflict are often significantly greater than when a researcher enters the school as an objective outsider with the explicit purpose of conducting the study” (403).

Section IV of the Protocol Narrative – Involvement of Other Institutions – provides you with a space to describe your relationship with the school as well as with the subjects, and to disclose any conflicts of interest that exist. Strategies for mitigating conflicts of interest can be alluded to in this section and should be described in greater detail in the recruitment plan and informed consent process, as these are the moments during the course of the research where conflict of interest is likely to manifest.

The consent materials for parents and assent language for minors should also indicate both your affiliation as an SJSU student conducting research as part of your degree program and as a teacher or administrator at the school.
Addressing Coercion and Undue Influence

Definitions

According to the Office of Human Research Protections (OHRP, n.d.), “Coercion occurs when an overt or implicit threat of harm is intentionally presented by one person to another in order to obtain compliance. For example, an investigator might tell a prospective subject that he or she will lose access to needed health services if he or she does not participate in the research. Undue influence, by contrast, often occurs through an offer of an excessive or inappropriate reward or other overture in order to obtain compliance. Undue influence also can be subtle. For example, students might feel pressure to participate in research if everyone else in the class is doing so. Because influence is contextual, and undue influence is likely to depend on an individual’s situation, it is often difficult for IRBs to draw a bright line delimiting undue influence.”

Despite the teacher-researcher’s best intentions, the power imbalance between a teacher and student may contribute to a coercive atmosphere and affect the perception that participation is voluntary. As Hick’s states in her article Research in Public Schools (2006), “It is difficult, if not impossible, to eliminate undue influence in a setting in which children’s lives are orchestrated by adults and in which teachers are often important and, indeed, influential figures in children’s lives” (341). Parents and students may fear that non-agreement will affect their relationship with the teacher or how the students’ performance is evaluated.

Replicating official sounding verbiage in the protocol narrative that is provided on the consent form about the voluntariness of the research does not provide a sufficient resolution to decreasing an atmosphere of coercion. Researchers should demonstrate that they are invested in ensuring the voluntariness of the research by providing examples of strategies that will be employed to minimize coercion and promote meaningful and continued consent/assent. The protocol narrative needs to include a description of the tangible measures that will be used to minimize a coercive atmosphere.

Strategies for Minimizing Coercion during the Recruitment Stage

The following are some examples of how coercion can be mitigated during recruitment.

- Ask a neutral third party not involved in the research to recruit students on your behalf (it can be another teacher).

- Expand the subject population so that volunteers are sought not just from your own classroom but from other classrooms.

- Have a mechanism to withhold participant names from your knowledge until after the class has ended and the students are no longer under your instruction.

- Re-verify assent by developing data instruments to include a yes or no response item, stating “Please include my answers in the study,” which allows students to opt out of the study while
still participating in classroom work.

- Reduce peer pressure by including reasonable rewards for participation and attractive alternatives for those who don’t participate (not just extra schoolwork) – encourage students to make choices (Hicks, 2006). If an incentive is offered to students who participate in the research it must not be so great as to act as the sole influence in a decision to participate. For example, offering gift cards to low income students would not be an appropriate incentive. Make sure to outline the rewards for both participating and non-participating students in the compensation section of the protocol narrative.

It’s important to recognize that not all of these strategies will work in every situation. For instance, in some communities there is greater trust in the teacher than an outsider, and the first example above may not be appropriate because the research could not be practicably carried out if there are not enough participants to form a statistically significant sample. You must keep in mind community and school standards when assessing which recruitment strategy to use. When putting together a protocol, you may need to apply more than one of the above suggestions or you may develop other strategies not included above. Your strategies for minimizing coercion should be outlined in the recruitment section of the protocol narrative.

Addressing Inequitable Subject Selection and Stigmatization

Every effort should be made in the school setting to recruit students who would most benefit from participation in the study. This must be balanced by an equal effort to avoid singling out students from their classmates. The following three examples outline some problematic subject selection strategies that have been presented in IRB protocols in the past as well as some alternative strategies that can be employed to prevent stigmatization of students.

- Research targeting specific groups of students. Concerns are raised when investigators target a specific sub group of students in a general education setting (e.g., low performing students, Hispanic students). You can’t isolate students based on their race, ethnicity, gender, or academic performance.

  Alternative: invite all students to participate and design data instruments with screening criteria built in, so that your target group is evaluated in the analysis stage and not during the recruitment stage.

  Alternative: Keep the decision to participate private by handing out materials to all students – some of which may include the research instruments, some of which may include alternative activities, such as games or puzzles.

- Cherry picking a representative sample from a group of eligible participants to be subjects of the research. This practice lends itself to researcher bias and does not yield generalizable results. If the research questions are broad, but the sample size is too small, conclusions can only be made about those particular subjects.
Alternative: invite all students to participate and allow for a control group, if feasible, to support conclusions and eliminate alternate explanations for results.

- Research that withholds educational benefits to students who do not participate. You cannot apply an intervention to a small group of students who agree to participate in the research if the intervention would benefit all students.

Alternative: either apply the intervention to all students who stand to benefit or guarantee that the intervention will be applied to the rest of the group after the research is concluded.

Like strategies for minimizing coercion, strategies for minimizing stigmatization should be outlined in the recruitment section of the protocol narrative.

**Meaningful Consent and Assent**

The researcher must make clear to both parents and students what participation in the research entails and that participation is voluntary. Students may be expected to complete school assignments, but they cannot be required to do anything beyond that for the purposes of the research, including allowing the use of their records or school work for research purposes. When working with minors, the researcher is responsible for outlining two processes for establishing agreement in the protocol narrative: 1) the process and document for obtaining informed consent from parents, and 2) the process and document (when applicable) for obtaining assent from the child.

Informed consent and assent should not be confused with permission from the participating institution, which is also required as part of the IRB protocol. Permission from the participating institution, usually in the form of a letter of support from the principal, expresses that the school has allowed the proposed research to be conducted at the school. It does not reflect the wishes or speak on the behalf of parents or students when it comes to actual involvement in the research. The informed consent and assent process is the mechanism that is used to handle agreement to participate on the individual subject level. Institutional permission is initiated before the researcher submits his/her IRB protocol and a document reflecting the institution’s approval must be included with the protocol. Informed consent and assent, however, are initiated after IRB approval, as researchers must submit the documents that will be used during this process in addition to describing the process itself in the IRB protocol narrative.

**What Does Participation in Research Mean in a Classroom Setting?**

Part of resolving issues of coercion and obtaining meaningful consent and assent is making a distinction between required classroom work and research. Data cannot be used for research without consent and assent, even if students are required to complete the curriculum. From the beginning, the research methods described in your protocol should clearly delineate between school-driven versus investigator-driven research and between “normal” educational practices and special, research-specific interventions. Your protocol should explain whether or not the research is being designed by the school alone, is part of a joint project between you and the school, or is designed by you only.
**Normal educational practices.** If you plan on investigating the effectiveness of normal educational practices, both the research methods section in your protocol narrative and your consent forms and assent procedures need to explain the difference between participation in the research and non-participation in the research. The consent language should indicate that all students are required to do the work but that only those who have assented and from whom parental consent has been obtained will have their work analyzed for research purposes. Those who have chosen to not participate will have their school data excluded from analysis and there will be no negative consequences for non-participation (e.g., “If you decide that you don’t want your child to be in this study it will not affect how the school treats your child. Any data collected as part of normal classroom practices will not be used for research purposes without your consent, although all children will be expected to complete their regular classroom assignments”).

The burden of demonstrating whether an activity is part of normal classroom practices is on the researcher. If a proposed research project appears to place participants at risk1 or has no precedent in previous, published action research, the IRB will likely question the “normalcy” of the activity and the validity of the research. For this reason, you should be prepared with a brief literature review that provides enough background information for the IRB to determine whether the proposed work falls within what is typical in the context of a specific classroom setting. What is considered to be normal in one classroom may not be in another. For example, curriculum and interventions for special education students are tailored to each student, so normal classroom activities in a special education environment are student-specific in a way that they would not be in a general education environment. Be prepared to provide the contextual information about the school environment in which you intend to conduct your research in your IRB protocol – do not assume that IRB members will automatically know this.

**Special, research-specific interventions.** If you plan on conducting a special investigation or intervention that goes beyond assessing normal classroom practices, the consent and assent language must explain what those who choose not to participate will be doing in the meantime. An alternate assignment or activity must be designed and non-participating students cannot be singled out by either their peers or their teacher (see above sections on coercion and stigmatization). The research must be designed so that neither the participating group nor the non-participating group forego any educational benefits as a result of their choices. That is, participating students should not be made to devote time to the research at the expense of their learning or in a way that is disruptive to the classroom environment, and non-participating students should not be excluded from the potential educational benefits that might be provided by the intervention. In the former instance, you might consider setting aside non-classroom time, such as lunch hour, for participating students to complete research tasks, or come up with a research design that keeps information about who is and who is not participating private. In the latter case, when students might stand to benefit from the intervention but may not want to participate in the research, you can offer to apply the intervention to all students after the research is concluded.

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1 Risks in action research are primarily psychological and can include anxiety, shame, stigmatization, embarrassment, emotional distress, psychological trauma, and loss of privacy.
Parental Consent
The SJSU IRB does not waive the need for written consent from parents and does not allow passive consent (i.e., an “opt-out” option). Written consent must be obtained from the legal guardian of any research subject under the age of 18. The basic elements of informed consent that must be communicated include: 1) Information about the study and what participants will be asked to do, 2) Information about the risks and benefits of the study, 3) Information about measures to protect confidentiality as well as limits to confidentiality, 4) Information about participants’ rights (e.g., participation in research is voluntary) and, 5) Information on who to contact for questions, complaints, and problems. In addition to including all of the elements of informed consent as outlined on the templates provided on the IRB website, the consent documents for parents need to include the following:

• **Complete information about the study.** If your consent documents contain vague language about the purpose and methods of your research, the IRB will not approve your protocol. For example a description such as “This study will attempt to study self-esteem by having students fill out a survey,” is not descriptive at all (not to mention poorly phrased)! It is important to be clear about why a particular phenomenon or behavior is being studied. What do you hope to achieve by conducting the research and what methods do you propose to use? If the topic under investigation is complex, it is still your responsibility to describe it in a manner that would be understandable to parents. If there are methods described in your protocol narrative but not in your consent document – or vice versa – the IRB will not approve the protocol.

• **Layman’s language and text that is well-written and has been proofread.** Any complex discipline-specific or theory-specific jargon needs to be written in a language and at a reading level of a general audience. Do not expect parents to be familiar with curriculum plans or educational practices. You may need to modify the language on the sample consent forms provided on our website to ensure readability. You may use substitute words – “researcher” instead of “investigator” for example. Do not prepare a protocol or consent form that contains official-sounding verbiage that you think the IRB wants to hear. All of the elements of informed consent that appear on the samples on our website need to be included, but you may word the information in a way that is appropriate to the audience. Providing a simplified consent form does not mean that grammar errors will be tolerated by the IRB.

• **Translations presented in the primary language of the parents.** If, for example, you are conducting a study on ELL students and 80% of the school population is Hispanic, a Spanish translation of the consent form will be required. To determine whether translations will be needed, check with the school to determine whether it provides translated documents to parents and in which languages. Even if the school does not use translations, the research design and the target population may necessitate the use of translations. A verification of translation accuracy form needs to be included as well as an English version of the consent form even if only translations will be used.
• **Information about the limits to confidentiality, such as mandated reporting.** Be certain to find out whether you are a mandated reporter. If you are a mandated reporter, the consent form needs to indicate that you are required to report cases of abuse, neglect, and intent to harm self or others. Other limits to confidentiality include the potential for re-identification in small and specific data sets. Administrators or other teachers may be able to identify students in a report just by the specific demographic info presented if it is detailed enough. The confidentiality section of the protocol narrative and the consent form must explain the measures that will be used to protect confidentiality, report any foreseeable limits to confidentiality, and explain how and when records containing any identifying research data will be destroyed.

• **Clean and clutter-free presentation.** In addition to being well-written, the format of the consent form should not be neglected. Use a consistent font size that is easy to read, and avoid excessive combinations of formatting such as bold, italics, underline, and all caps. Do not print the consent form onto letterhead until you are sure the text will be aligned properly. Make sure to use complete sentences. If numeric itemization is used, make sure that it is logical. Keep in mind that participants are not aware of IRB requirements and that, above all, the consent document must make sense to them.

**Minor Assent**

In addition to a signed parental consent form, minor assent is also required when the subjects are capable of providing it. This means that the investigator must explain the research to the minor in an age appropriate and developmentally appropriate manner, and obtain the minor’s affirmative agreement to participate in the research. Note that if the minor dissents from participating in research, even if his or her parents or guardian have granted permission, the minor’s decision prevails in most cases. For research activities involving adolescents, whose capacity to understand resembles that of adults, the assent procedure might include information similar to what would be provided for informed consent by adults. For children whose age and maturity level limits their ability to fully comprehend the nature of the research activity but who are still capable of being consulted about participation in research, it may be appropriate to focus on conveying an accurate picture of what the actual experience of participation in research is likely to be (for example, how long it will take, whether it might involve any discomfort) (OHRP, *IRB Handbook*, 1993). The assent procedure should reflect a reasonable effort to enable the child to understand, to the degree they are capable, what their participation in research would involve, and should be documented in the methods and procedures section of the protocol narrative. If assent will be obtained verbally, a script outlining what will be said should be included with the IRB protocol.

When thinking about how to obtain meaningful assent, remember to be mindful about the inherent conflicts posed by your dual role as educator and researcher and the confusion that may arise when the research component of your work is not clearly defined. As Nolen and Vander Putten (2007) point out, “in addition to being unable to formally consent to research study participation, minors are unlikely to possess the maturity or independence necessary to decline participation in studies conducted.
by researchers on whom they are dependent for their grades, access to resources, and enriching experiences while in school. Another issue to consider is the freedom of the student to choose whether to participate in research that is part of the normal schooling process. If the research is not clearly defined apart from what the student would ordinarily be required to do in the classroom, then the student will have difficulty making an informed decision and freely choosing (or choosing not) to participate” (402).

**Secondary Data**

Consent and assent are also required for the use of individually identifying secondary data even if the school has given you permission to access the data. If you have access to school data as part of your job function, this does not automatically grant you access for research purposes as an SJSU student. School permission alone is only acceptable if it confirms that the school will provide you with data from which all of the identifying information has already been removed and you are not affiliated with the school in a manner that allows you to have access to the records. School records are protected under the Family Educational Rights and Privacy Act (FERPA), and there is no statute of limitations on the privacy of uniquely identifying student records (U.S. Department of Education, personal communication, August 20, 2013). Consent is needed to access private academic records regardless of whether the student is receiving services at the school. Teachers and administrators cannot be asked to share information about specific students without the student’s and parent’s consent.

In your protocol narrative, please also avoid false claims about anonymity. If a researcher has access to individual student data and if he/she knows who participated in the research and who did not, the subjects are not anonymous. Efforts should be made to maintain confidentiality – such as through the use of pseudonyms – but anonymity cannot be guaranteed. Do not use the word “anonymous” in your protocol submission if it does not apply.

**Other Issues**

**Recording (Audio & Video) in the Classroom**

If the classroom environment will be recorded, an explanation should be provided in both the protocol narrative and on the parental consent form about why the recordings are needed to carry out the research. A video-recording may be able to catch more than what a teacher could observe. The teacher/researcher role can become conflated when recordings capture behavior that may require disciplinary action on the part of the teacher but that may not be relevant to the research (Owen, 2004). The teacher’s role may interfere with the researcher’s promise that participation will not negatively impact the student. The protocol should explain how such situations will be handled. As with individually identifying secondary data, recordings by default are not anonymous. The protocol should explain how recordings will be handled in a classroom where some students may have provided consent/assent for participation in the research and some have not. If the purpose of the recording is to focus on the teacher and not the students, this needs to be outlined in detail, including the procedures for ensuring that students will not be videotaped. The protocol should also explain how long the recordings will be kept, where they will be stored, and when and how they will be destroyed.
Validity of Data Instruments

The data instruments selected should be age and developmentally appropriate if they will be distributed to students and should be relevant to the research question. While the selection of data instruments pertains to research design, if the instruments are too complex or cannot possibly answer the research question posed, the IRB may request that they be revised or replaced. Inappropriate data instruments can contribute to additional risks for minors; at best the research can be a waste of the subjects’ time and, at worst, the research may lead to false conclusions that affect student learning. It is important that your instruments are not only reliable and well-established, but that they are designed to address the issue that you are studying and that you use them as they are designed and in the research conditions you have established.

Resources

In addition to the information available on the SJSU IRB website (http://www.sjsu.edu/research/irb/), training modules are available for student researchers and educators through CITI (Collaborative Institutional Training Initiative): https://www.citiprogram.org/

The training for student researchers is recommended but not mandatory, unless it is part of a class assignment or the student is receiving federal funding for the research. Students should be aware that the sponsoring professor that signs off on their protocols must have completed the training requirement. If the professor has previously completed the training, it is not necessary to include the certificate with every student application. The CITI online training courses include modules that address research in an educational setting. In some instances, the IRB may require that a student researcher complete the training if continued resubmission of a protocol does not address the ethical considerations outlined in this document or if a student has not followed an IRB reviewer’s request.

For more information on the IRB process and the protocol documents, please refer to the IRB video tutorials posted on the SJSU IRB website: http://www.sjsu.edu/research/irb/irb-video-tutorials/index.html
References


