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Teaching and Researching Ethically: Guidance for Instructor-Researchers, Educational Developers, and Research Ethics Personnel

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Abstract

Despite now long-standing recognition of the value and importance of the scholarship of teaching and learning, questions continue to be raised about how to satisfy the hybrid responsibilities of teaching and research. The key message of this paper is that instructor-researchers, educational developers, and research ethics personnel should consider two key guidance documents in tandem: the Society for Teaching and Learning in Higher Education's statement on Ethical Principles in University Teaching (Murray, Gillese, Lennon, Mercer, & Robinson, 1996) and the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, & Social Sciences and Humanities Research Council of Canada, 2014). Together these documents provide much needed guidance for teaching and researching ethically.

Bien que la valeur et l'importance de l'avancement des connaissances en enseignement et en apprentissage soient reconnues depuis longtemps, on continue à se poser des questions pour savoir comment satisfaire les doubles responsabilités d'enseignement et de recherche. Le message principal de cet article est que les instructeurs-chercheurs, les conseillers pédagogiques et le personnel d'éthique de la recherche devraient prendre en considération deux documents principaux d'orientation en tandem : la déclaration de la Société pour l'avancement de la pédagogie dans l'enseignement supérieur sur les « Principes éthiques dans l'enseignement universitaire » (Ethical Principles in University Teaching - Murray, Gillese, Lennon, Mercer, & Robinson, 1996) et « Énoncé de politique des trois Conseils : Éthique de la recherche avec des êtres humains » (Conseil de recherches en sciences humaines du Canada, Conseil de recherches en sciences naturelles et en génie du Canada, & Instituts de recherche en santé du Canada, 2014). Ensemble, ces documents fournissent une orientation utile pour enseigner et mener des recherches de manière éthique.

Keywords
scholarship of teaching and learning, instructor-researchers, teaching responsibilities, research ethics, Canada

Instructor-researchers are educators who formalize their reflections through disciplined inquiry about teaching and students' learning. Scholarly contributions from these individuals span the hybrid spaces between teaching and research to advance new knowledge and understandings. This paper is intended to provide guidance for instructor-researchers to navigate these hybrid spaces replete with competing interests, priorities, and time commitments. The paper also targets educational developers and research ethics personnel who are the main supporters for teaching and research in university contexts, and hence key resource personnel for instructor-researchers. Addressing these three groups simultaneously builds toward consensus and shared language to facilitate collaboration across their disparate fields of responsibility and thereby to promote ethical practice within universities.

The bulk of the guidance in this paper is drawn from an analysis of two Canadian documents that support instructor-researchers to act responsibly and ethically in their dual roles as university instructors and researchers: *Ethical Principles in University Teaching* (Murray, Gillese, Lennon, Mercer, & Robinson, 1996) and the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* (Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, & Social Sciences and Humanities Research Council of Canada, 2014; herein referenced as *TCPS2*). These two documents present ethical principles for individuals and institutions while championing the critical importance of academic freedom "exercised in a responsible manner" (Murray et al., 1996, preamble; see also *TCPS2*, chapter 1A).

The first of these documents (Murray et al., 1996) defines teaching responsibilities for university instructors, including instructor-researchers. Nine aspirational principles are identified: content competence, pedagogical competence, dealing with sensitive topics, student development, dual relationships with students, confidentiality, respect for colleagues, valid assessment of students, and respect for institution. These principles were developed by the Society for Teaching and Learning in Higher Education (STLHE) with support from a collection of 3M National Teaching Fellows. This provenance places the document well within the purview of educational developers and educational leaders. The recommended principles remain relevant long after publication as evidenced by their discussion at a recent STLHE conference (Aspenlieder & Vander Kloet, 2016), appearance in institutional policies and aspirational documents at Canadian universities (e.g., Queen's University Senate, 2009; University of Saskatchewan, 2010), and resemblance to other current organizational statements (e.g., Canadian Association of University Teachers, 2009; American Association of University Professors, 2010). However, with no update in over 20 years, the document may no longer be focal for all educational developers, may not be included in all teaching and learning support programs for instructors and instructor-researchers, and is probably unfamiliar to many research administrators and research ethics personnel.

The second document (*TCPS2*, 2014) defines responsibilities for research involving human participants. This aspirational document also includes a regulatory element (Bullock & Panicker, 2003) dictating the minimum standards for research at Canadian universities and any other institution that wishes to access funds from a federal research agency (*TCPS2*, 2014, introduction). *TCPS2* emphasizes the importance of protecting privacy and confidentiality (chapter 5) and seeking free and informed consent (chapter 4) as part of a core commitment to respecting human dignity (chapter 1). Chapter 6 presents requirements for research ethics review for university research in Canada. *TCPS2* guides the day-to-day practices of research ethics administrators and research ethics board members, yet may be unfamiliar to educational developers and disconnected from instructional practice (as suggested by Stockley & Balkwill, 2013). Scholars who conduct research involving humans prepare applications for ethics review based upon *TCPS2* for their

disciplinary research, but may not be familiar with implementing the guidance for scholarship of teaching and learning. Scholars whose disciplinary scholarship does not involve human participants may be unaware of *TCPS2* as researchers or as educators (MacLean & Poole, 2010).

Bringing these two foundational Canadian documents together provides guidance for instructor-researchers, educational developers, and research ethics personnel for teaching and researching ethically. As I discuss, considering the two documents in tandem is essential to balance the overlapping responsibilities of teaching (scholarly approaches to teaching, course activities, primacy of teaching and learning, grading practices) and research (duality of instructor-researcher roles, data ownership and access, participant recruitment, confidentiality).

Scholarly Approaches to Teaching

Readers of *The Canadian Journal for the Scholarship of Teaching and Learning* recognize the value of university instructors adopting scholarly approaches to their instructional practice. Reflecting on pedagogical practices and the impact on students provides personal research evidence that can support pedagogical and assessment decisions (Murray et al., 1996, principle 2, 4). Such reflections are considered reflective practice or scholarly teaching, and are vital to instructional practice (Shulman, 2002; Toni & Makura, 2015). To enhance the impact and value of these reflections, university instructors are encouraged to apply their disciplinary and methodological expertise, and commit to making their reflections public to inform others and enable feedback (Bernstein, 2010; Hutchings, 2003; Pecorino & Kincaid, 2007). Such practice moves reflection from the realm of scholarly teaching to the realm of scholarship of teaching and learning (Kreber, 2002; Vajoczki, Savage, Martin, Borin, & Kustra, 2011).

As the purpose of reflections shifts from enriching one's personal professional practice to providing generative information for others, the work becomes a research undertaking, which introduces new expectations related to evidentiary standards and students as potential human participants (Healey et al., 2013). With this shift from professional practice to research, university instructors can be understood as instructor-researchers with hybrid responsibilities for pedagogy and research. Educational developers support pedagogy whereas research ethics personnel support research; the two groups collectively must support the interface between pedagogy and research that is scholarship of teaching and learning.

Fulfilling the hybrid responsibilities of pedagogy and research is enhanced by simultaneously enacting guidance from Murray et al. (1996) and *TCPS2* (2014). In some situations, instructor-researchers may be obliged to seek input or clearance from supervisors, governing bodies, or peer reviewers. For example, research involving humans requires research ethics board (REB) clearance (*TCPS2*, article 2.1). Some institutions also require a separate review process to secure institutional permission for research involving data about students, academics, or support staff (e.g., Athabasca University, 2016; University of Toronto, 2007). Canadian universities establish specific guidelines, requirements, and expectations for instructor-researchers, so it will be important to consult the appropriate REB and other institutional bodies to understand the particular requirements and procedures at a given institution. Educational developers and research ethics administrators may be able to discuss some of the approaches adopted in scholarship of teaching and learning undertaken at the institution.

The STLHE principles (Murray et al., 1996) and *TCPS2* (2014) both emphasize the importance of prioritizing the interests of students. One key consideration is that students may not be aware of the professional obligations or personal commitments that instructor-researchers hold,

and may not understand the wider goals for scholarly teaching or scholarship of teaching and learning (Healey et al., 2013). Hence, it is important for institutions, departments, and individual instructor-researchers to be explicit about their commitments and what those commitments mean for students, including the various ways data may be generated and used from teaching–learning interactions. Instructors-researchers are expected to educate students about what to anticipate in their classes whether REB review is required or not. Burman and Kleinsasser (2004) provide recommendations in this regard, especially for supporting students to understand the purpose of a project and the intended uses of student work and also for affirming students' consent as a project unfolds.

Rights and Responsibilities for Ascertaining the Educational Value of Course Activities

The delivery of high quality programs is a shared responsibility in universities. Teaching and learning policies, collective agreements, and other institutional documents specify expectations, rights, and responsibilities related to course development and delivery. Instructor-researchers as university instructors often work together as program committees to identify program and course learning outcomes, and establish course sequences and interconnections to attain those outcomes. Communication with other instructors contributes to coordinated programs of study that meet standards established through institutional, disciplinary, professional, or accrediting bodies. Interaction supports instructor-researchers to understand how the content of their courses interfaces with the timing and content of other courses within the program, thereby contributing to content competence (Murray et al., 1996, principle 1) while enacting respect for colleagues (principle 7) and the institution (principle 9).

Instructor-researchers who are qualified university instructors typically have academic freedom to choose instructional methods and grading practices aligned with the identified learning outcomes; however, some instructional staff (e.g., teaching assistants, course facilitators) may function under the guidance or authority of a supervisor or lead instructor who oversees such instructional decisions. Regardless of their role or level of authority, all members of the instructional team are advised to heed guidance from the STLHE principles (Murray et al., 1996) and, when relevant, *TCPS2* (2014).

Course Activities Involving Students as Human Research Participants

STLHE principle 1 specifies that course content is expected to be "current, accurate, representative, and appropriate to the position of the course within the student's program of studies," such that the course "is consistent with stated course objectives and prepares students adequately for subsequent courses for which the present course is a prerequisite" (Murray et al., 1996). This guiding principle can support instructional decisions about content and methods in university courses, including possible course activities that involve engaging students as human research participants.

Instructor-researchers may determine that becoming human participants in research is an educational experience that relates to individual course goals or overall degree-level expectations. There is some evidence from a range of disciplines, including nursing (Bradbury-Jones, Stewart, Irvine, & Sambrook, 2011), psychology (Gil-Gómez de Liaño, León, & Pascual-Ezama, 2012; VanWormer, Jordan, & Blalock, 2014), and sociology (Chin & Stayte, 2015) about the positive contribution of research participation to the intellectual development of students, thereby

addressing the central responsibility for instructor-researchers as university instructors (Murray et al., 1996, principle 4). Furthermore, Brew and Ginns (2008) found positive relationships between undergraduate students' course experiences and their instructors' engagement in scholarship of teaching and learning.

It is educationally justifiable to invite students to be participants in research as part of a course when their participation relates directly to course objectives and learning outcomes. Scholarship of teaching and learning designed to assess or improve student learning or educational practice normally meets this expectation. If research participation is unrelated to the educational goals of a course, then inviting student participation would seem to serve the needs of the instructor-researcher and not the students, which is contrary to STLHE principle 4 (Murray et al., 1996) and may undermine the balance between risks and potential benefits that is central to the *TCPS2* core principle of concern for welfare (article 1.1). If scholarship of teaching and learning is related to course objectives, then it would seem particularly appropriate to disseminate the outcomes of the work to student participants as a way to contribute further to their learning.

Instructor-researchers and REBs are responsible for addressing potential risks to student participants; in addition, it may be advisable for instructor-researchers to seek independent assessment of the educational merit of research activities proposed as part of a course (e.g., by a department chair, Dean, educational developer, or subject-matter expert unaffiliated with the research) to ensure the instructor-researcher's judgment is not clouded by conflicting interests. Such reviews could occur informally through collegial feedback from a critical friend who prompts the instructor-researcher to contemplate multiple perspectives, or they could be formalized through an institutional body considering the kinds of questions recommended by Zeni (2001). Independent assessments in either form could provide the external review recommended by Burman and Kleinsasser (2004). Given their expertise, educational developers could serve as advisers or reviewers.

It is important for instructor-researchers to articulate the educational value of any proposed research activities associated with their courses and to clarify the relationship between anticipated learning outcomes and identified course or degree expectations. Clarity about the ways students' roles as human research participants will contribute to their learning, fulfillment of course goals, and grades contributes to an instructor-researchers' ability to demonstrate pedagogical competence (Murray et al., 1996, principle 2), commitment to student development (principle 4), and valid assessment (principle 8). Clear information in course outlines or syllabi can reduce negative reactions or grade challenges, and provide necessary context for independent assessment.

Primacy of Teaching and Learning

From an institutional perspective, students are students first. Therefore, no research project that involves students should ever take primacy over teaching and learning in a course. Decisions about course content may be the responsibility of the instructor-researcher, but those decisions need to align with institutional, disciplinary, and (when relevant) professional expectations and obligations.

First and foremost, it must be recognized that instructor-researchers have a fiduciary relationship with students that involves an obligation to act in the best interests of students and to facilitate student learning (Ferguson, Myrick, & Yonge, 2006; Murray et al., 1996, principle 4). Sound instructional decisions are based upon what is understood about the students and the ways to support them to meet course learning objectives.

As part of the fiduciary commitment between instructor-researchers and students, class time and course activities must be devoted to achieving the goals established for the course. Extended interviews or questionnaires could provide useful data, but may not contribute to learning objectives and therefore should not displace more targeted learning activities. Instructor-researchers are responsible for choosing instructional methods and assignments, but those choices are expected to reflect degree-level expectations, program outcomes, and learning outcomes. Any research engagement that occurs in a course must cause the least disruption possible to the course (Elgie, 2014). As noted above, it may be advisable to seek independent assessment of decisions to include a course activity that engages students as research participants.

It is inappropriate to *require* students to become research participants as part of a course. An instructor-researcher may assign activities or assignments associated with a research project as part of a course, and then invite students to decide whether information derived from those activities can or cannot be used as data in a research project. Clear distinctions must be made between course expectations and optional research expectations to avoid any uncertainties about what is or is not voluntary and how the various activities relate to course grades and learning opportunities. If research participation is a course activity, then students who decline to participate or choose to withdraw from participation must be presented with alternative means to secure equivalent learning benefits and course grades through activities that are comparable to research participation in terms of time, effort, and desirability (Canadian Psychological Association, 2017, principle I.36).

Ethical practice demands that care be taken to reduce risks that students may feel excluded or stigmatized based upon their decisions to participate, decline, or withdraw from research. MacLean and Poole (2010) argued that it is critically important to guard against such "social penalties" because they undermine the teaching–learning dynamic and infringe upon students' rights. Students might presume negative reactions from an instructor-researcher or classmates, which could affect their perceived freedom to decide about participation (*TCPS2*, 2014, application 3.1). MacLean and Poole recommended strategies to reduce the possibilities for other students (and the instructor-researcher) to know while a course is in session whether a student has or has not agreed to participate in research (e.g., requesting questionnaires be folded and submitted whether complete or incomplete, gathering data outside class time, sequestering data until after the course is complete). Leentjens and Levenson (2013) also warned against recruiting participants in group settings (e.g., classes) where it may be difficult to prevent others from determining who has or has not agreed to participate. Instructor-researchers may be able to use the same confidential means to submit research activities as they use for course assignments, if these mechanisms protect participant identities (e.g., set up an anonymous assignment submission portal or anonymous polls through the learning management system used in the course).

The principle of pedagogical competence includes a proviso that university instructors are expected to select instructional methods that have been shown to be effective (Murray et al., 1996, principle 2). Instructor-researchers may switch among different instructional methods to determine what is effective in a particular context or setting, and thereby maintain or enhance their pedagogical competence (Murray et al., 1996, principle 2). For example, an instructor-researcher may wish to compare outcomes across different teaching or learning strategies. Such comparisons are justified when all students receive instruction that is expected to be effective. It is inappropriate and unethical to attempt to validate a proposed strategy by "depriving students of a learning strategy that has proven useful in the past" (Comer, 2009, p. 103), but it is fully acceptable to compare multiple strategies that have been shown or are presumed to be effective. It may be best

to limit use of untested methods with unknown results to low-stakes activities where risks to students' grades or learning opportunities are minimized.

If a research intervention affects learning outcomes for student participants, appropriate compensatory actions ought to be taken to avoid differential benefits to any student, including grades, as discussed in the following section. Differential instructional approaches that "detract unjustifiably from student development" would violate STLHE principle 4 (Murray et al., 1996).

Course Grades Associated With Research Participation

Grades matter in university: they affect how students engage with course materials and sometimes shape adjudication decisions or future opportunities (Christofides, Hoy, Milla, & Stengos, 2012; Haigh, 2007; Khan, 2014). Therefore, it is important to consider how research participation could affect course grades. If students were to receive higher grades because they were part of an intervention that was unavailable to other students, assessment in the course could be deemed invalid or unfair, which is a violation of STLHE principle 8 (Murray et al., 1996). An instructor-researcher could rescale grades to compensate for such discrepancies, but students and institutional colleagues may be unconvinced by such strategies. Other potential strategies to circumvent this possible challenge include using counter-balanced research designs in which all participants are exposed to all interventions or assigning the same tasks to all students such that the only difference between research participants and non-participants is that participants release their data for analysis.

STLHE principle 8 dictates that the final grade awarded in a course be determined on the basis of the objectives established at the beginning of the course (Murray et al., 1996; see also Close, 2009; Seville, 2012). As a result, any grades or bonus marks associated with research participation must be justified with respect to course goals. Incongruence between assessment methods and stated course objectives represents a lack of pedagogical competence (Murray et al., 1996, principle 2). No bonus marks or extra credit should ever be granted outside the grading plan documented and announced through the course outline or syllabus presented at the beginning of the course; acting otherwise violates STLHE principle 8 (Murray et al., 1996).

Assigning grades to students for participating in a research study may be considered undue enticement or coercion. Students must be presented with alternative means to secure comparable credit (Interagency Advisory Panel on Research Ethics, n.d., question 3). Conversely, imposing a grade penalty for students who decline to participate or withdraw from participation could likewise be a form of coercion (Interagency Advisory Panel on Research Ethics, n.d., question 4). To minimize challenges, it is therefore preferable to use incentives other than grades to acknowledge students' contributions to research (e.g., refreshments, small gift cards for a campus store, tickets to a campus event, donations to a student group or the library).

Dual Roles, Conflicts of Interest, and Power-Over Relationships

There is an inherent power difference between instructor-researchers and students, which increases the vulnerability of students as potential research participants. STLHE principle 4 explicitly states that instructor-researchers who "ignore the power differential between themselves and students" have abdicated their responsibility for student development (Murray et al., 1996).

TCPS2 (2014) article 3.1 introduces the notions of undue influence and coercion that may undermine individuals' abilities to make free choices about participation in research undertaken

by someone in a position of power or authority. Despite assurances to the contrary, students may believe their decisions about participating in research could affect course grades, influence relationships with their instructors, or limit their future educational opportunities. Students might feel they must or should participate to gain the favour of an instructor-researcher or avoid negative repercussions, and hence consent could not be considered voluntary, which is a violation of *TCPS2* article 3.1 and the *TCPS2* core principle of respect for persons (article 1.1). Importantly, the application of *TCPS2* article 3.1 specifies that any determination of undue influence or coercion must be made from the perspective of students, irrespective of instructor-researcher's intentions. Recent students may be well placed to advise regarding current students' anticipated reactions.

In close-knit programs, students may perceive a sense of obligation that extends beyond an individual course to cover the entire program (e.g., in a graduate or professional program where students may encounter the same instructor in subsequent courses or be dependent upon that instructor for letters of recommendation or other assessments). It is therefore important to consider current and future relationships between instructor-researchers and potential research participants. It may be helpful to solicit perspectives from recent program graduates or external consultants to gauge the extent to which current students might be expected to experience undue influence or coercion. If possible, relying upon anonymous data or implementing strategies to conceal participant identities from the instructor-researcher would substantially reduce the risks for students in close-knit programs.

For students, deciding whether or not to participate in an instructor-researcher's work could be considered sensitive; hence, instructor-researchers might consider their approach an extension of STLHE principle 3 for dealing with sensitive topics (Murray et al., 1996). Based upon this principle, instructor-researchers are expected to acknowledge when a course activity or topic is sensitive and explain why it is necessary to include such sensitive material in a course. The strategies Dalton (2010) attributes to an ethic of care for teaching sensitive topics would also be appropriate when conducting scholarship of teaching and learning involving students: forewarn students about what to expect, provide them with opportunities to prepare themselves for this exposure, allow them to leave without explanation or consequences during these course components, never compel a student to engage, and insist that other students respect each individual student's perspective. Being forthright with students about the ethical decision making involved in scholarship of teaching and learning could also encourage students' ethical reflection, which is one part of Healey et al.'s (2013) definition of ethical scholarship of teaching and learning.

It is important to recognize that instructor-researchers have different interests as instructors than as researchers, and hence may experience conflicts of interest or tensions between the two roles (Healey et al., 2013). According to *TCPS2* (2014) article 7.4, such conflicts of interest must be declared and strategies must be adopted to mitigate the ensuing challenges. STLHE principle 5 warns against "dual-role relationships with students that are likely to detract from student development or lead to actual or perceived favoritism on the part of the teacher" (Murray et al., 1996). These two articles each specify that perceived conflict of interest or favouritism is enough to raise concern.

One potential conflict of interest relates to a desire for instructor-researchers to represent themselves and their contexts well. However, research may uncover inadequate student work or other information that paints an unflattering picture of students, academics, support staff, programs, or institutions. It would be inappropriate for instructor-researchers to focus exclusively on positive outcomes because such a biased picture could be construed as a violation of principles of research integrity. Hence, consideration must be given to respectful ways to represent any "bad

news" (Hutchings, 2003, p. 29). Students who agree to participate in an instructor-researcher's project may be disappointed, even distraught, to see their work or responses presented in negative light. Careful wording choices and reliance upon aggregate data or composite stories can help to temper the severity of criticism without obscuring evidence. It may be important to debrief students so they understand how their work will be presented and encounter fewer unpleasant surprises when they may no longer have direct access to the instructor-researcher to assuage concerns and counteract negative reactions. In some instances, research may reveal unflattering information about the broader community, program, or institution, so it is appropriate to consider the extent to which the identity of the institution, program, or community can or should be protected (Murray et al., 1996, principle 9). It might be courteous to provide forewarning or an opportunity to respond, especially if identities cannot be protected fully.

Data Ownership and Access

Instructor-researchers sometimes generate data for research purposes (e.g., interviews, observations, questionnaires) and sometimes rely upon existing data within the institutional setting (e.g., lesson plans, student work, grades, course evaluations). In either scenario, it is important to address expectations regarding the purposes for which different data are collected and the potential uses of those data.

Instructors and other members of a university community have access to data for specific purposes associated with their roles at the institution (e.g., instructors receive student coursework, administrative assistants may have access to student grades). Access to these data for employment or other official reasons does not mean these data can be used for research purposes:

> Student grades, attendance records, and private communications are treated as confidential materials, and are released only with student consent, or for legitimate academic purposes, or if there are reasonble [*sic*] grounds for believing that releasing such information will be beneficial to the student or will prevent harm to others. (Murray et al., 1996, principle 6)

TCPS2 (2014) articles 5.5A, 5.5B, and 5.6 describe expectations regarding consent and REB review for research involving secondary use of data collected for a non-research purpose. Typically, instructor-researchers will need to secure informed consent from the individual whose data are intended for use in a research project and gain permission from the official data custodian (e.g., Registrar). However, based upon *TCPS2* chapter 5, consent expectations may differ for data that are anonymous (i.e., the information has never been associated with identifiers) or anonymized (i.e., all identifiers have been irrevocably removed).

Institutional personnel regularly gather data from teaching–learning interactions for the purposes of assessing, managing, or improving the quality of their practice, programs, and services (e.g., teaching quality audits). Quality assurance processes and other review mechanisms provide accountability while encouraging ongoing curricular innovation intended to support university instructors and institutions to contribute positively to the development of students (Murray et al., 1996, principle 4). On their own, these activities are considered quality assurance or normal educational practice and are not subject to REB review unless there is an associated research project (*TCPS2*, 2014, article 2.5; see also Alberta Research Ethics Community Consensus Initiative Network, 2005/2010).

Data that are generated as part of teaching and learning include course evaluations, students' academic work, instructional materials, student records, and employee records. Informing students and other members of the institutional community about all administrative and research uses of their information supports their rights and enhances compliance with federal, provincial, and territorial privacy legislation (see, for example, Information and Privacy Commissioner of Ontario, 1998).

Student course evaluations often include collection statements to specify the intended uses of the information and who will have access. Collective agreements and other institutional policies may provide further information. At some institutions, student course evaluations are considered the property of the instructor who therefore is expected to provide informed consent prior to releasing this information to another researcher. At other institutions, the information may be made available for institutional purposes or even released as public information. Public evaluation sites such as RateMyProfessors may have other policies. The information in course evaluations is provided by students; therefore, if the intended use of this information deviates from the purpose as understood by students, it would be respectful to inform students of the additional uses of the information; privacy regulations may require a collection statement indicating potential research uses (Information and Privacy Commissioner of Ontario, 1998).

Many university policies grant students copyright to their theses, papers, examinations, reports, and other coursework. Normally instructor-researchers are expected to secure informed consent from students to use student work in research unless the work is part of the public domain (e.g., a thesis deposited in the institution's digital repository). If the student was employed to create the work, then ownership may rest wholly or in part with the employer (Herder & Holloway, 2015), which means informed consent may be required from the employer if the work is not in the public domain.

University instructors typically hold copyright to their instructional materials and would need to provide informed consent for another researcher to use these materials. As instructor-researchers, university instructors can choose how they wish to use the materials for which they hold copyright. These rights and the consent requirement extend to audio or video recording of classes or research observations made in classes. Students may also be captured in audio or video recordings or observational notes from classes, so their consent may also be required.

Student and employee records are the property of the student or employee, and are housed within appropriate administrative offices. Access to these records is dependent upon informed consent from the student or employee and permission from the official data custodian whose decision shall be consistent with relevant federal, provincial, or territorial privacy legislation. Clearance from a REB to approach a data custodian to request access to data does not obligate the data custodian to release those data (see *TCPS2*, 2014, article 6.3).

Recruitment of Student Research Participants

Undertaking research using student data (whether naturally occurring or generated specifically for the research) typically means inviting those students to become participants in the research. However, Fenton and Szala-Meneok (2010) described students as a captive population, which raises ethical challenges for recruitment. Care is needed to reduce the potential for coercion or perceived coercion whenever students are invited to participate in research. Verbal or written assurances may limit coercion, but not as well as strategies that prevent instructor-researchers from

knowing which students participate (e.g., anonymous data, a neutral third party to sequester data until grades have been submitted).

Comer (2009) asserted that recruitment within classes should occur only if students' participation is essential to the research, not just as a convenient means to secure participation. "Assigning research work to students that serves the ends of the teacher but is unrelated to the educational goals of the course" is a violation of STLHE principle 4 (Murray et al., 1996). Ferguson et al. (2006) recommended finding other individuals who meet the recruitment criteria whenever possible, and Comer (2009) discouraged conducting research with students for whom the instructor-researcher has instructional responsibility. However, these recommendations are often inconsistent with scholarship of teaching and learning.

When the scholarship of teaching and learning requires engagement from current students, instructor-researchers are encouraged to appoint a neutral third party to recruit students as research participants. The neutral third party should not hold authority over the students (e.g., a Dean, Graduate Program Director, instructor for another course) or be obviously aligned with the instructor-researcher (e.g., a close colleague or relative, a student working under the instructor-researcher's supervision). Members of the instructional team (e.g., instructor-researcher, teaching assistant) are typically not present during recruitment invitations and are not informed about students' decisions regarding participation until after course grades have been submitted. Denscombe and Aubrook (1992) found that students perceived all in-class activities as sanctioned and expected by the instructor, so it would be appropriate to adopt comparable approaches for all in-class recruitment even when the instructor is not the researcher (e.g., students in a comparison class for research conducted by an instructor-researcher teaching a different class).

The sense of obligation or coercion for students may be reduced if the research requires a small sample of students only. In such situations, a neutral third party could, for example, provide the instructor-researcher with contact information for selected volunteers rather than all volunteers from a class, such that the instructor-researcher has no way of knowing (even after course grades are submitted) whether a student declined to participate or was not selected to participate.

Some instructor-researchers may wish to engage students more fully as partners or coresearchers in the work (Healey, Flint, & Harrington, 2014; MacLean & Poole, 2010). Student partners can shape the direction of an inquiry to emphasize issues of concern to students (Murray et al., 1996, principle 4) and thereby exercise greater autonomy, which is consistent with the *TCPS2* core principle of respect for persons (article 1.1).

Confidentiality

Normally participant identities and any identifiable data are sequestered from members of the instructional team (e.g., instructor-researcher, teaching assistant) until course grades have been submitted. Study designs that rely exclusively upon anonymous data enhance protections for student participants because the instructor-researcher will have no way to identify any student as a research participant (Comer, 2009). Careful review of planned data sources will be essential to determine if data are anonymous (e.g., demographic data could readily identify students to an instructor-researcher).

It may be difficult to maintain confidentiality within a class setting where students and instructors may recognize class members based upon data presented in a research report. Others may be able to connect information that was public within the class (e.g., a class presentation) with information that was private (e.g., a course grade or interview content). Instructor-researchers need

to think carefully about the identifiability of research participants and clarify potential limitations to confidentiality, so students can make informed choices about participation.

In some cases, research participants may wish to be credited for their contributions to a research project (e.g., a student may wish to maintain copyright for work created in a course and grant permission for the use of that work only with a clear copyright statement). Such preferences are typically granted unless identification of one individual could lead to identification of another individual who does not wish to be identified (see *TCPS2*, 2014, article 10.4).

Conclusion

This analysis of the STLHE principles (Murray et al., 1996) and *TCPS2* (2014) reveals complementary guidance for the hybrid responsibilities of instructor-researchers. Expanding from Stockley and Balkwill's (2013) recommendation for educational developers to familiarize themselves with *TCPS2*, I suggest instructor-researchers, educational developers, and research ethics personnel incorporate guidance from Murray et al. and *TCPS2* into their practices. The complementary guidance from the two documents provides the necessary balance and perspective for ethical practice. Drawing simultaneously upon the best guidance for ethical practice in teaching (Murray et al., 1996) and in research (*TCPS2*, 2014) brings together the respective fields of educational developers and of research ethics personnel to provide substantive support for instructor-researchers. Selecting course activities, allocating class time, assigning grades, and capitalizing upon available information are standard instructional responsibilities that demand respect for the interests of students, colleagues, and disciplines. Moving beyond instructional practice toward scholarship of teaching and learning heightens questions around autonomy, beneficence, and equity, but does not change the overriding commitment to advance students' development.

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