

## Ethics and Aspiration in the Scholarship of Teaching and Learning

**Pat Hutchings**

Vice President

The Carnegie Foundation for the Advancement of Teaching

**F**or the past five years, The Carnegie Foundation for the Advancement of Teaching has been undertaking a national effort to develop the scholarship of teaching and learning. This work has a history in most academic fields—and sometimes a cadre of people who are specialists in it (Huber and Morreale, 2002). But for many faculty the scholarship of teaching and learning is new terrain. They may, for instance, be excellent teachers, but typically they have not treated their classrooms as sites for systematic inquiry; framing their own teaching problems as questions of broader scholarly significance entails a real shift of perspective (Bass, 1999). Similarly, faculty come to the scholarship of teaching and learning as experts in their fields, but they're often uncertain how to use the field's concepts and methods to explore teaching and learning. The very idea of documenting and sharing the work of teaching and learning—a core principle of the scholarship of teaching and learning—is new to most faculty.

Not surprisingly in all this novelty, the scholarship of teaching and learning also presents ethical issues that are new to many faculty. Is it necessary to have permission to use excerpts from student papers, or data from their exams, in my scholarship of teaching and learning? If so, what kind of permission is appropriate, and how should it be secured? Should I (must I?) submit my project design to the

campus Institutional Review Board (IRB), which monitors work with human subjects? *Are* students human subjects? Do I need their informed consent to begin my work? To publish it? The scholarship of teaching and learning calls on us to “make teaching community property” (Lee Shulman's phrase), but what are the appropriate boundaries between public and private? Who owns what goes on in the classroom? Who benefits, and who is at risk, when the complex dynamics of teaching and learning are documented and publicly represented?

As one of the leaders of Carnegie's program on the scholarship of teaching and learning (the Carnegie Academy for the Scholarship of Teaching and Learning—or CASTL, as we call it), I've heard these questions in many variations, and I've heard them with greater frequency over the past few years. I hear them from the 114 faculty, from some twenty fields, who have been selected as fellows with CASTL's center for advanced study, and I hear them on campuses (some 200 now) participating in the program. Ethical issues were the topic of a discussion at a session on the scholarship of teaching and learning I attended at the American Sociological Association meeting in summer 2001, and at a special forum at the Modern Language Association meeting in December 2001. Questions about ethics turned up recently, as well, in discussion on a national listserv of faculty developers, with participants

asking one another for advice about appropriate campus policies and processes. In short, it seems safe to say that ethical issues raised by the scholarship of teaching and learning are increasingly in the air. This volume aims to address the emerging need to understand and deal with such issues—by mapping themes, clarifying contexts, and providing examples.

At the same time, the materials gathered here, including this introductory essay, make it clear that ethical issues often do not lend themselves to definite answers, that there can be no one-size-fits-all rules. Like other aspects of the scholarship of teaching and learning, its ethical dimensions are shaped by discipline, context, and purpose. What's needed most is not, then, a set of rules but a process of reflection, self-questioning, and discussion. As noted in the *Handbook on Ethical Issues in Anthropology*, a publication of the American Anthropological Association, it's difficult to formulate "a code specific enough to use as a mechanism of social control," but ethical principles and the process of devising them can be "a way of reflecting upon our own practices and attempting to improve them" (Cassell and Jacobs, 1987: 1). In short, the way a field frames and thinks about ethical issues is a window into its character

### The Carnegie Academy for the Scholarship of Teaching and Learning (CASTL)

The Carnegie Academy for the Scholarship of Teaching and Learning supports the scholarship of teaching in colleges and universities, as well as in K–12 settings. The program seeks to make teaching public, subject to critical evaluation, and usable by others in ways that will foster significant, long-lasting learning for all students, enhance the practice and profession of teaching, and bring to faculty members' work as teachers the recognition and stature afforded to other forms of scholarly work.

The higher education program has three components. *The Carnegie Scholars Program*, launched in 1998, supports the work of faculty members from across the spectrum of disciplines who are exploring questions about the teaching and learning of their fields. The program operates on the model of an advanced study center, aiming to advance work that has broad significance and that others can build on. *The Teaching Academy Campus Program* works with campuses seeking to create a culture in which the scholarship of teaching and learning can flourish. The American Association for Higher Education (AAHE) coordinates this program, working with campuses of all types. CASTL's *work with scholarly and professional societies* supports the development of new language, standards, vehicles, and occasions for conducting and exchanging the scholarship of teaching and learning.

(the pun is deliberate)—that is, how it thinks about itself, its defining controversies, and its animating values.

So too with the scholarship of teaching and learning, in which, I will argue, ethical issues are not simply occasions for caution but windows into our values and aspirations as teachers and scholars of teaching.

### Trends and Context

That ethical issues should arise in the scholarship of teaching and learning is not to suggest that something is amiss. On the contrary. Attention to ethics is something we *expect* as a field of study or practice evolves and matures. A self-conscious "commitment to integrity" is

evoked in the very "ideal of professionalism," William Sullivan observes in *Work and Integrity: The Crisis and Promise of Professionalism in America* (Sullivan, 1995: xvi), and most professions have developed some mechanism—an ethical code or statement of principles—for addressing and dealing with the complicated choices that arise in practice. Thus, one context for understanding the emergence of ethical issues in the scholarship of teaching and learning is as a reflection of the field's development. As more faculty, in more settings and more disciplines, become involved in the work, and as more events, publications, and policies are put in place to

support it, attention to ethical issues is a natural development in the scholarship of teaching and learning.

A second context for understanding the emergence of ethical issues is the involvement of doctoral institutions, which are—to the surprise of some observers—well represented in the scholarship of teaching and learning. Slightly more than half of the 114 Carnegie Scholars teach at doctoral institutions, and that sector constitutes almost one-third of the 200 institutions participating in CASTL’s Campus Program. Involvement from this set of institutions may well shift the scholarship of teaching and learning—which might be said to exist on a continuum, from informal reflection on one end to more formal research on the other—toward research. With this shift come the benefits of prestige and recognition, but it brings with it as well the traditional machinery of research, including policies and structures (Institutional Review Boards, most notably) for monitoring ethical issues. And while there are issues raised by the investigation of classroom practice that fall outside the usual parameters of IRBs, regulations about “informed consent” for work with “human subjects” raise the visibility of a wider set of ethical issues as well.

Third, the emergence of ethical issues reflects a more general raised awareness and concern about research with human subjects today. The much publicized death of a young woman in a clinical trial at Johns Hopkins University during the summer of 2001 comes to mind. But that case was, in fact, only one of a number of high-profile research-ethics violations, or alleged violations, over the last decade. In the mid-1990s, President Clinton appointed a special commission to study the protection of human subjects in radiation experiments, but the recommen-

dations that resulted were more general, pointing to the need for updated interpretations of federal rules on ethics and more oversight of the system regulating human research (Faden, 1995). By 1998 at least four separate special committees and panels had urged better safeguards at the federal level (Campbell, 1998). A recent report from the American Association of University Professors summarizes the situation by noting that regulations for work with human subjects “have been in place, in one form or another, for more than thirty years. They are a permanent feature of research institutions in the United States, and there are clear signs that their influence is expanding” (AAUP, 2001: 4–5).

Meanwhile, higher education is marked by increased attention to legal issues raised by our work as educators and scholars. In a session at the Carnegie Foundation in summer 2001, a Carnegie Scholar in law reported that her campus (a large doctoral university) now requires written permission to share student work, even anonymously, with other students in the class (for instance as a model answer, or one that raises important issues for the course). “We never had to do that before,” the Scholar told us. Similar stories abound. Practices such as posting grades on office doors have become problematic in many settings, for example. A recent (February 2002) U.S. Supreme Court ruling confirms that having students see and evaluate one another’s work (for instance in a collaborative learning context) does not violate student privacy, but that once work becomes part of an official record (e.g., a mark in a grade book) it may be protected by the Family Educational Record and Protection Act (Gose, 2002: A25). Moreover, especially as the work of teaching and learning occurs increasingly online, campuses are debating issues about ownership of courses and course materials,

and related matters of intellectual property. In short, there's a whole host of new questions facing higher education, many of them directly related to teaching and learning, and many at the intersection of legal and ethical concerns. Clearly, ethical issues faced by scholars of teaching and learning must be seen in the context of these larger, shifting forces and realities.

## **Ethical Dilemmas and Competing Goods**

But what, in particular, are the issues faced by scholars of teaching and learning? To answer this question—and to do so in a way that recognizes the importance of context in raising and shaping thought about ethical matters—I asked seven Carnegie Scholars, from seven different fields and quite different institutional contexts, to write short case studies about an ethical issue or issues they confronted in their work. Additionally, we invited responses to each case from three individuals who bring different perspectives to bear. This case-plus-commentaries format enacts a central theme of the volume, which is that there's no single right way to resolve the ethical dilemmas that arise when investigating classroom practice; indeed, the most important resource may be awareness and reflection. Though none of the seven case-study authors claims to have found a perfect solution to the ethical dilemmas she or he faced, all have produced work that is highly ethical in its respect for students, its commitment to advancing the profession of teaching, and its thoughtfulness about resolving what are essentially competing goods. Among them, the seven cases embody a number of issues that arise at various points in the scholarship of teaching and learning, from initial design to the sharing of results.

Issues arising at the design stage are a focus in several of the cases. Statistics professor John Holcomb, for instance, naturally thinks of undertaking his investigation—he is interested in the impact of a new approach on students' ability to “actually *do* statistics”—through a classic control-group design; it's a model his field finds credible and familiar. But as he works to refine his plan, and talks to colleagues in other fields, he begins to wonder if that design is the right one. Control group conditions are notoriously difficult to enact in the messy world of the classroom, so there is, for starters, a practical difficulty (“I would be comparing apples and oranges,” Holcomb writes). But, even if the practical problem could be overcome, he's not sure a control group is appropriate. “I ran into this wall when I asked myself whether it would be ethical to require students from a traditional course to perform in a way that they had no preparation for.” Further, he worries whether it makes sense, ethically, to subject one set of students to an approach he no longer feels confident in, or enthusiastic about. Holcomb's answer is no—and his case thus opens up the relationship between ethical and methodological matters as we see how ethical commitments and values shape the way scholarship of teaching and learning is designed and undertaken.

Issues related to methods of inquiry, and to data collection, are central to several of the cases. Charles McDowell's research design—he is looking at the effectiveness of “pair programming,” in which computer science students work together on programming assignments—includes a comparison group (not a formal control group but two settings similar enough to allow analysis of differences), and he is comfortable with that decision. What's less comfortable is the dilemma that emerges as he begins to

gather data. Is it appropriate, he wonders, to use class time—even only a few minutes—to gather data for his research when doing so will not advance the learning of students currently enrolled in the class? Is the uncertain prospect of benefits for future students sufficient justification for spending class time in ways that have no immediate pedagogical benefit? Or—as one of McDowell’s respondents suggests—is there a way to gather needed data that will actually con-

Holcomb’s case opens up the relationship between ethical and methodological matters as we see how ethical commitments and values shape the way scholarship of teaching and learning is designed and undertaken.

tribute to student learning? (And might he be mistaken, I would ask, in thinking that his data gathering—a short survey of student work habits—has no pedagogical value?) Additionally, McDowell worries about a dilemma that another Carnegie Scholar, writing in an earlier Carnegie publication, describes as a “changing script.” “I was teaching the class *as* I was experimenting with it and studying it,” writes Bill Cerbin, a professor of psychology at the University of Wisconsin–La Crosse, “and under those conditions you sometimes *have* to change the script as you go because your best judgment tells you that a change would be an improvement for the students” (Cerbin, 2000: 16). What’s at issue in Cerbin’s quote, and in McDowell’s case, is a conflict between the research role and the role of teacher.

Not surprisingly, the researcher-teacher conflict runs through several of the cases. David Takacs, for instance, team teaches with Gerald Shenk (another

Carnegie Scholar) a course on the social and environmental history of California that requires students to explore personal values and commitments. “We subscribe to the feminist aphorism that the personal is political,” he points out. “And so we ask—require—that students put themselves into their work.” Such a course requires trust between faculty and students, and Takacs worries about “whether students will trust us if they know that we might ‘use’ their work to further our own scholarship.” His solution is to talk with students about his scholarship of teaching and learning throughout the semester—he is interested in how students use history in the “Historically Informed Political Project” they are required to complete—but request permission to use student work only at the end of the semester (and with several options and safeguards built in for students who are uncomfortable with this idea). But, as he points out, “We’re still feeling our way through this.”

Suzanne Burgoyne faces a similar dilemma in her investigation of a course in Theatre of the Oppressed, where she hopes to study, with a multidisciplinary team of research colleagues, the course’s impact on student attitudes toward race and racial oppression. In particular, she worries that the process for securing students’ informed consent at the beginning of the study, as prescribed by the Institutional Review Board (it was, she says, “a given that our work would need to go through that process”), will put a chill in the air, making it difficult for students to engage in the emotionally “risky” learning that is required by Theatre of the Oppressed (for instance, in theatre exercises focused on rape, a topic chosen by students but a difficult one for many of them). Relatedly, Burgoyne is aware of issues of power and authority in the classroom, especially when, after an unexpected classroom incident causes the team to

refocus its investigation slightly, she finds herself wanting to use data from a student who had previously declined to participate in the study.

Both Burgoyne and Takacs are concerned with power in the classroom. “Teaching should be about challenging, not ossifying, power relations,” Takacs says, “and the scholarship of teaching and learning should be the same.” An aspect of the scholarship of teaching and learning where issues of power are particularly notable is around the use of student work—an issue that virtually all of the case authors face in one way or another. The form that Takacs and his team-teaching colleague have devised to secure student permission gives three choices: Students can give permission to use their work anonymously, permission to use work with attribution, or no permission. A student volunteer collects the forms and Takacs and Sherk see them only after grades are submitted. But as many of the case authors suggest, this remains tricky territory. How free do students feel to say no? Even if permission is not sought until after grades are turned in, might faculty not have power over the student at a later point—in a subsequent course, for instance? And how “informed” is student consent? How much do or can students really understand about how their work might be used? How does one balance the need to protect students’ privacy with the desire to give credit and acknowledgment for the contribution their work makes to the scholarship of teaching and learning? Whose work is it, anyway?

The relationship between teacher and student is also a focus of the case by Tomás Galguera, a faculty member in teacher education, who begins his case by noting, “I have often informed my decisions concerning ethical research issues by considering the nature of the relationship that I have with the people

involved in my research.” As we soon see, “in researching one’s own teaching practice in ways that include students and their work, it is impossible to separate the research from the relationships.” Thus, for Galguera, what begins as a teacher-student relationship evolves into a research project—a case study of the development of a Latina elementary school

How much do or can students really understand about how their work might be used? How does one balance the need to protect students’ privacy with the desire to give credit and acknowledgment for the contribution their work makes to the scholarship of teaching and learning? Whose work is it, anyway?

teacher, Camila Calica. As one of the respondents to Galguera’s case reports (and Galguera agrees), the negotiation of these various roles is potentially complicated by issues of age, gender, and ethnicity. “I wonder,” Galguera says, “whether Camila truly had an opportunity to decline to participate in the study.” And he wonders too (once again ethical and methodological issues are hard to separate) whether his close relationship with Camila biases his results—or more deeply informs them.

Galguera raises a different issue as he reflects on sharing the results of his work with a larger audience—an aspect of the scholarship of teaching and learning that raises questions for several of the case writers. On the one hand, he is eager to publish his report, hoping to contribute to current thinking about “the learning-to-teach process for Latina beginner teachers.” On the other, he is “curious and

a bit concerned” about what Camila herself will think about the case (a question her commentary in this volume addresses). In particular he wonders if he should have insisted more vigorously about the potential benefits of her playing a more active role as co-presenter and co-author. The work clearly benefits Galguera (one of his initial motivations in undertaking the study was an upcoming tenure decision), but he is less sure what benefit comes to Camila.

The flip side of the “who benefits” issue is a concern about who might be put at risk by the scholarship of teaching and learning, and this is a focus of the case by James Seitz as he recounts dilemmas he faced in writing a book about literacy. Recognizing that investigations of teaching and learning cannot focus exclusively on successes, or feature only the best examples of student work, Seitz rejects the “standard narrative” in which, “at the beginning of the semester, students were struggling ... then the teacher helped them see the light ... and now, as evidence of how far they progressed, the teacher offers a sample of student writing that displays notable accomplishment, thereby demonstrating the success of the teacher’s pedagogy.” Reading the case, it’s easy to imagine that Seitz experiences such successes, but his interest as a scholar of teaching and learning is not so much in success as in the telling difficulties we see in students’ learning. The dilemma comes from the fact that he must, therefore, quote from and display “inadequate” student writing, “writing that would be shared not because of its accomplishment but because of its failure.” Like several of the other case authors, he wonders about the issue of consent to use student work. Had students known the context in which their work would be shown, would they, he wonders, have given permission? He

worries as well about the consequences of his work in the wider public sphere—and about what Thomas Newkirk calls “the ethics of bad news” (Newkirk, 1996: 3). Might his work—though aimed ultimately at improving student literacy—contribute to the “endless river of publications” that bemoan the state of literacy and make a mockery of students? In short, Seitz puts into the picture a whole host of issues about the impact of the scholarship of teaching and learning on the public perception of and support for education.

Issues related to audience perception are also on Sherry Linkon’s mind as she recounts her experience of going public with the scholarship of teaching and learning. As part of her work in the Visible Knowledge Project (directed by one of her respondents, Randy Bass, at Georgetown University, and focused on student learning through technology in history and culture courses), Linkon works with a videographer (John Stern, who also responds to her case) to tape a work session by two of her students as they examine and draw inferences from an online nineteenth-century map. When she then shows the video to a group of project colleagues, inviting them to use the work of her students as a way to raise questions about student learning, she is disturbed to find that her sense of the video is not shared by her audience. While she finds it (and means it to be) a way of highlighting “some issues related to prior knowledge and the value of teaching about local culture,” her audience laughs at the students. And though this was not their only reaction (good questions were also raised), it is a troubling one. “One of the guiding principles ... of using students’ work,” Linkon writes, “is that we should treat it and them with respect, and our responses to the video clips were not very respectful.” Ultimately her case, like

Seitz's, raises ethical issues about the context in which our investigations of teaching and learning are seen (or read), understood, and used.

There are, certainly, ethical issues that are not raised by the seven cases. And I have not mentioned all of the issues that *are* raised. In practice, of course, they do not appear so discretely as this discussion suggests; each issue spills into others. Standing back from the details of the seven cases, however, one crosscutting theme in particular stands out for me, and it's captured nicely in an essay from Gesa Kirsch and Peter Mortensen's collection *Ethics and Representation in Qualitative Studies of Literacy*: "Presumably, no researcher sets out to be unethical or to hurt those involved in research," writes Helen Dale.

*Rather, qualitative researchers often must make decisions in which one individual's or group's needs take precedence over those of another individual or group. The choices researchers make are not between good and evil, but between two goods. This creates dilemmas of fidelity. (Dale, 2000: 78)*

What's at issue in the seven cases are not abstract rules of right and wrong but dilemmas of fidelity, attempts to balance competing goods—and to do so in a context without clear norms or rules. As Suzanne Burgoyne notes about her case, "I wouldn't necessarily want to draw a general principle or rule from this narrative." As in most aspects of teaching, what's needed is professional judgment, which is developed at least in part through discussion with scholarly and professional colleagues—which brings us to the topic of the campus context in which scholars of teaching and learning do their work.

## Campus Contexts and Communities

Many readers will come to this volume with questions not only about their practice as individual scholars of teaching and learning but about campus processes and policies for addressing ethical issues. An informal survey of 114 Carnegie Scholars in the fall of 2001 (about half returned email questionnaires) revealed that campus approaches vary widely and are under discussion.

Perhaps the most common topic of discussion concerns the role of Institutional Review Boards, though smaller, less research-focused campuses may not have such structures. Institutional Review Boards, as many readers will know, are the mechanism through which the federal government seeks to ensure that the research it funds is carried out in an ethical fashion. That is, campuses conducting federally funded research must establish and maintain an IRB to oversee ethical issues in keeping with the federal regulations. The goal is to protect human subjects against a variety of risks and dangers, from physical and psychological harm to coercion and violations of privacy. Thus, for IRB approval, the investigator must assure that risks to human subjects are minimized, and that those risks that *do* exist are reasonable in relation to the importance of the knowledge that is expected to result; informed consent must be sought from each prospective subject. There are approximately 4000 IRBs in operation today, some in hospitals and research facilities, but most on research university campuses (AAUP, 2001: 2). Some campuses have more than one IRB, in order to specialize in particular areas of research.

Historians of IRB policies note that the first set of principles guiding researchers conducting experiments with human subjects date back to the Nuremberg Code in 1948, which established stan-



dards for judging physicians and scientists who had conducted experiments on concentration camp prisoners. (For an excellent description of the origin and development of IRBs, see Paul Anderson, in Mortensen and Kirsch; also the 2001 AAUP report, “Protecting Human Beings,” available online at [www.aaup.org/repirb.htm](http://www.aaup.org/repirb.htm).) Since then, numerous federal regulations have been enacted and updated, the most recent from the Department of Health and Human Services.

As might be expected given the origin of the federal regulations, IRBs are geared especially toward clinical and biomedical research, and disciplines engaged in qualitative research have expressed concern about the appropriateness of those regulations to their work. “Protecting Human Beings,” the 2001 report from the American Association of University Professors—sponsored by the American Anthropological Association, the American Historical Association, the American Political Science Association, the American Sociological Association, the Oral History Association, and the Organization of American Historians—explores whether federal regulations, as enacted through Institutional Review Boards, pose obstacles to emergent forms of social science research. “The government imposes a regulatory burden on research institutions and their individual researchers. Whether the burden is reasonable depends on several considerations, not the least of which is the application of the government’s rules to disparate academic fields, each with its own concepts and methods of research and standards of professional responsibility” (1). The report reflects “concerns of social scientists that institutional review boards (IRBs) go too far in regulating their research” (AAUP, 2001: 1–2), and a number of recommendations are made for mitigating this situation.

By law, the authority of the IRB extends only to federally funded research. But institutions are also required to develop a mechanism for dealing with non–federally funded research; thus on many campuses, IRB regulations are also employed in other, non–federally funded research. Approximately 75 percent of the largest American research institutions

What’s at issue in the seven cases are not abstract rules of right and wrong but dilemmas of fidelity, attempts to balance competing goods—and to do so in a context without clear norms or rules. As in most aspects of teaching, what’s needed is professional judgment...

have voluntarily extended the IRB system to all human-subject research (AAUP, 2001: 3), including, potentially, that which focuses on students and their learning.

Which brings us to the scholarship of teaching and learning. To what extent does IRB oversight pertain to the work of faculty investigating practice in their own settings? A careful reading of the current federal policy for the protection of human subjects suggests that the scholarship of teaching and learning likely is exempt. The projects of the seven Carnegie Scholars featured in this volume, for instance, all would seem to meet the federal policy’s exemption requirement for work “conducted in established or commonly accepted educational settings, involving normal educational practices,” focused on “effectiveness of or the comparison among instructional techniques, curricula, or classroom management

methods” (see accompanying box for fuller text regarding exempt research). However, “the Federal Policy gives the final judgment to each local IRB” (Anderson, 2000: 276).

Moreover, the meaning of “exempt” is open to misunderstanding. To be exempt, work typically must be *declared* exempt; that is, it is up to the IRB, not to the researcher, to declare the work exempt, which in turn means that appropriate paperwork must be filed (Anderson, 2000: 260; AAUP, 2001: 6). Often the review of projects in the scholarship of teaching and learning will be “expedited,” meaning that the IRB chair or spokesperson can sign off on it, and that it does not need to go through the entire committee. But given the volume of work facing such boards, expedited does not necessarily mean speedy. One Carnegie Scholar reports that expedited review of her scholarship of teaching and learning proposal took several months.

Is such review—expedited or not—necessary? Among faculty and campuses I have talked with, there is currently no consensus about this. My survey of Carnegie Scholars suggests that the trend may,

#### Federal Code

Unless otherwise required by Department or Agency heads, research activities in which the only involvement of human subjects will be in one or more of the following categories are exempt from this policy:

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (i) research on regular and special education instructional strategies, or (ii) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (i) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (ii) any disclosure of the human subjects’ responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects’ financial standing, employability, or reputation.

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior that is not exempt under paragraph (b)(2) of this section, if: (i) the human subjects are elected or appointed public officials or candidates for public office; or (ii) Federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects. (Code of Federal Regulations, Title 45, Part 46, 2001)

however, be toward IRB involvement, with approximately two-thirds of those from campuses that have such structures indicating that “it is now assumed on my campus that Institutional Review Board approval would be required.” As one respondent noted, “It used to be that educational research was exempt on our campus. If you were doing research on your own classroom you didn’t have to go through the Institutional Review Board. At about the time I got involved in the scholarship of teaching and learning, that changed.” At the same time, however, a number of respondents indicated that they were not sure what was required, or indicated that the matter was under discussion. In fact, a number of approaches are now taking shape on campuses.

The value of collaboration and communication in shaping useful approaches is illus-

trated by developments at Indiana University, where a high-profile effort to promote and support the scholarship of teaching and learning (and an energetic response from many faculty) raised questions about institutional policy regarding research with human subjects—questions and then distress when

it became clear that IRB regulations about research in situations of differential power, such as in studies that focus on one's own students, would make that research more difficult than many faculty members had anticipated. Since then, leaders of the campus's scholarship of teaching and learning initiative have worked in partnership with the IRB to develop a new policy that is cautionary but legitimizing:

*No matter how well intentioned the teacher is, students may feel compelled to participate, believing that failure to do so will negatively affect their grades. . . . The Committee recognizes, however, that in some research situations, use of one's own students is integral to the research. This is particularly true of research into teaching methods, curricula and other areas related to the scholarship of teaching and learning. (Indiana University Office of Research and University Graduate School, 2000)*

The institution is actively cultivating a dialogue among IRB members and scholars of teaching and learning so as to develop viable policies and procedures for research in this area. The IRB has clarified some of these issues, including data collection by a third party, data collection by the instructor, and problem practices. Further, the director of the scholarship of teaching and learning initiative serves as a kind of facilitator in discussions between faculty and the IRB, helping faculty frame work in ways that meet IRB requirements and helping IRB members, in turn, understand the work of scholars of teaching and learning. The scholarship of teaching and learning initiative has also developed its own Web page to demystify the human-subjects approval process

(Scholarship of Teaching & Learning at Indiana University, 2002).

A very different approach is in force at a liberal arts institution on the west coast, where IRB approval is not only not required, but discouraged. According to a faculty member I talked with, the scholarship of teaching and learning is considered a form of "program assessment" and as such exempt from IRB review. The thinking is that "we don't get student consent to assess our programs and courses, and there's a worry about setting a precedent for getting consent." The campus is discussing the possibility of seeking a kind of blanket permission from all first-year students—but other options are being considered as well.

Yet another approach has taken shape at Mills College. Prompted by new policies requiring review of all student research, education faculty worked with the IRB to define guidelines for the department. These guidelines followed federal regulations and were scrutinized by college lawyers. Additionally, faculty within the teacher preparation program of the education department have created a statement of values that frames the work by faculty and students as informed by and open for inquiry. All members of the program, including students, understand this.

Similarly, the Teacher Education Seminar of the Action Research Collaborative in St. Louis, Missouri, set out to "perhaps, revise the university IRB process to make it more appropriate for action research." Though the idea of an alternative human subject review process did not materialize, the group devised its own set of "Questions for Review and Reflection" to help members focus on ethical issues (Zeni, 2001: 156–164). The questions that appear at the end of this volume reflect a similar effort.

Other approaches are also in evidence. At Portland State University faculty participants in the Scholarship of Teaching Resource Team serve as consultants to one another on a variety of topics, including ethical issues. At Purdue University, the Teaching Academy has taken active leadership in influencing campus policy on ethical issues in the scholarship of teaching and learning. Acknowledging “increased scrutiny throughout the academy on research involving human subjects,” participants in the Visible Knowledge Project (the initiative in which Sherry Linkon’s case is set) are contributing to a “resource kit” including accounts of the experiences of project members with the IRB process at their own schools.

What’s clear from these examples is that campus policies and processes for dealing with ethical issues in the scholarship of teaching and learning are both varied and evolving. As is true in the cases of individual practice, there’s no one right approach. What’s important—and also most encouraging—is that discussions are now underway, and different approaches are being tried and can be learned from.

## **Professional Commitments and Aspirations**

Ethical issues in the scholarship of teaching and learning do not exist in isolation. They emerge in a larger context of policies and concerns related to research and its changing face. They also reflect the context of teaching practice itself and changing classroom approaches. As one Carnegie Scholar noted in a discussion to brainstorm ideas for this volume, “These issues are a doorway into the heart of what I do as a teacher.” Three themes seem particularly important in this context.

## **The Classroom as a Public Space**

One of the fundamental tenets of the scholarship of teaching and learning is “going public”—that is, documenting and representing our work as teachers, and our students’ learning, in ways that can be peer reviewed and built upon. As the cases in this volume suggest, and as discussions about human subjects and informed consent on campuses reflect, this idea brings challenges; the privacy of students and their right to learn must be protected. What’s also clear is that there’s little shared understanding of the status (public vs. private) of what goes on in the classroom: Are the transactions among students and faculty, and the work that students do in the classroom, a form of privileged communication, on an analogy with the work of a therapist or lawyer? Or are they (can they be) “community property” (Shulman, 1993: 6)? What are the boundaries between public and private? Who decides? These are questions for continuing discussion among scholars of teaching and learning.

And yet it’s useful to see these questions about the public or private character of the classroom not only in the context of the scholarship of teaching and learning but also through the lens of current thinking about pedagogy itself. Collaborative and cooperative learning, for instance, and many of the active pedagogies now in evidence, entail a shift toward practices that frame the classroom as a space where students are involved in one another’s work as a community of learners, engaged in the collaborative construction of knowledge. The work in such classrooms is therefore, in a very real sense, public work. Where that work also engages with outside communities, for instance through service learning, this shift is even more evident. Further, new uses of technology reinforce these directions. In a piece entitled “Teaching

and Learning in the Computer Age: Primacy of Process,” Trent Batson and Randy Bass describe how electronic technologies have made the processes of learning and teaching more visible and public. As their students begin to “surf the web,” for instance, “the four walls of the classroom may be breaking down more quickly than teachers had thought they would.” The result is that faculty in many fields are seeing fundamental changes in “the way knowledge is conceived, challenged, justified and disseminated” (Batson and Bass, 1996: 44). In such a context, issues of privacy, and therefore issues about the use of student work, may take on a different look. One might argue, in fact, that the traditional ways of looking at and dealing with ethical issues in the scholarship of teaching and learning are based on an out-of-date pedagogical model. Perhaps what’s needed is a way of framing ethical issues in the scholarship of teaching and learning that is better matched to emerging ideas about the classroom and classroom practice.

### Students as Scholars

A related theme pertains to the role of students in the knowledge building that is central to the scholarship of teaching and learning (and to learning itself, for that matter). Many of the faculty I have spoken with find it off-putting to refer to students as “research subjects.” As one Carnegie Scholar noted

in a planning session for this volume, “For me it’s more ethical to treat my students as co-investigators and collaborators, as I would any other scholar.” In this sense, the scholarship of teaching and learning may be seen as a cousin to the undergraduate-research movement—in which (at its best) students

work collaboratively with faculty, and often with each other as well, to investigate and build knowledge about important issues in the field. Barbara Cambridge, director of CASTL’s Campus Program, has been a vigorous proponent of involving students in just this way in the scholarship of teaching and learning (see box), and some campuses have designed programs that do so. At Western Washington University, for instance, faculty decided that questions about teaching and

learning were a proper and significant focus not only for faculty scholarship but for student inquiry, creating a special seminar for students interested in studying their learning and the campus context for learning; almost immediately the seminar was over-enrolled. At Elon College the scholarship of teaching and learning means faculty-student study teams working together on course development projects. The point here is that the scholarship of teaching and learning might well be framed not as a particular kind of faculty research, with attendant methods and ethical guidelines, but as a commitment to a different role for students in shaping the education they are a part of.

#### Involving Students

Done well, undergraduate research is a form of active learning that contributes to deep understanding. In most disciplines, faculty have to this point conducted research with undergraduates that includes the students doing ongoing laboratory work, helping to check sources for a book project, or being part of fieldwork. Few faculty have considered the rich possibilities of undergraduate research in teaching and learning....

This kind of research has the powerful advantage of creating new knowledge for the discipline while enabling student researchers to become more aware of their own process of learning and the circumstances under which they can best learn....

—Cambridge, *AAHE Bulletin*, Volume 52, No. 4, December 1999, page 9–10.

There's an interesting next step in this logic. If students can contribute to the scholarship of teaching and learning (not simply serve as its "subjects"), we should perhaps be concerned not only about protecting their privacy but about acknowledging their *contributions*. "There is a longstanding practice among qualitative researchers to protect the identity and privacy of research participants," writes Cheri Williams.

*But the practice of preserving informant anonymity often presents perplexing ethical dilemmas for those who conduct ethnographies and case study research. While most researchers disguise participants' names and association to protect them from potential embarrassment or harm, this strategy also prevents participants from receiving recognition. ... [It] eliminates any opportunity for public acknowledgement or praise. (Williams, 1996: 41)*

A number of scholars from composition studies (where the use of student texts in scholarly work is standard procedure) are avid about this, arguing that we have an ethical responsibility to acknowledge and cite student work as we would that of any scholar who contributed to our thinking. (For examples, see Gesa Kirsch's description of "multivocal texts" in *Ethical Dilemmas in Feminist Research*.) This approach will appeal more in some fields than others, and it is not without its problems, but it offers a different lens for thinking about ethical issues. Students might well help shape our inquiries, contribute to the collection and analysis of data, and play important roles in interpreting and sharing results with various audiences. In this sense the schol-

arship of teaching and learning may be an important way to make students more "intentional learners," "meaning they are purposeful and reflective, both about the use of their learning and the process of gaining it," as urged in a new report from the Association of American Colleges and Universities (Association of American Colleges and Universities, 2002: 2).

### An Ethic of Inquiry

This volume focuses on ethical issues in the scholarship of teaching and learning—the "ethics of inquiry," as the title says. But a slight shift of language captures one of the larger themes that emerges here. An *ethic* of inquiry, that is, puts the emphasis not so much on specific issues to be grappled with but on a larger sense of professional responsibility and aspiration that motivates and shapes the scholarship of teaching and learning. Existing codes of ethics for teachers emphasize diligence in preparing for class, timely return of student work, respect for students, and other important elements of professional practice. But the scholarship of teaching and learning enacts an additional kind of professional responsibility by calling on the inherent obligations and commitments that come with the professorial role—that is, to seek knowledge, to share what our investigations uncover, and to contribute to the larger community of scholars and practitioners. In the case of the scholarship of teaching and learning this means approaching our students' learning with the same spirit of disciplined inquiry with which we approach other aspects of our scholarly work. That ethic is what animates the work of the case authors represented in this volume, and it is what Lee Shulman describes as "the professional rationale" for the scholarship of teaching and learning, work that

*affords all of us the opportunity to enact the functions of scholarship for which we were all prepared. We can treat our courses and classrooms as laboratories or field sites in the best sense of the term, and can contribute through our scholarship to the improvement and understanding of learning and teaching in our field. (Shulman, 2000: 50)*

The scholarship of teaching and learning is, in this sense, a moral commitment, a responsibility “to our professional peers to ‘pass on’ what we discover, discern, and experience” in working with our students (Shulman, 2000: 50). Rather than a new research specialty for a few faculty, it is, I would argue, an aspiration for the work of all faculty—one that enacts responsibilities both to current students and to future generations; to colleagues, whose work we build on and contribute to; and to the profession of teaching.

### **The Aims of This Volume**

This introduction attempts to provide a broad overview of the “ethics of inquiry,” identifying issues that arise for faculty investigating their own classrooms, placing those issues in the context of campus policies and federal regulations, and highlighting themes that provide different perspectives on the topic. I want to end on a more concrete, practical note by making a few comments about the aims of this volume and what you’ll find in the pages that follow.

Most of the volume consists of the seven cases and commentaries described earlier in this introduction. Their purpose is to name and illustrate some of the issues faced by scholars of teaching and learning, and to create a forum for discussing those issues from diverse points of view.

Readers are invited to use the cases to start discussions in their own settings—among faculty colleagues, administrators and staff, IRB members, and students. Items listed in the Annotated Bibliography at the end of the volume (and in the resources that accompany each case) can help inform those discussions, as well.

The cases may also serve as models for further case writing. As all of the authors and respondents would, I believe, agree, case writing prompts analysis and reflection that’s helpful both for the author and for readers who engage with the cases. Inviting faculty to develop and share cases about ethical dilemmas they face in their scholarship of teaching and learning may be a good first step toward formulating appropriate practices and policies on your campus.

Though the cases are not meant to provide “answers,” they *are* meant to be a source of practical suggestions and guidance. For example, David Takacs shares a form he uses to seek students’ permission to use their work. (Further examples of forms are available on the CD-ROM that accompanies a previous Carnegie publication, *Opening Lines: Approaches to the Scholarship of Teaching and Learning*.) Helen Neville, in her response to Suzanne Burgoyne, suggests working with a collaborative team of researchers, who can, together, troubleshoot and resolve ethical dilemmas that may be more difficult if you’re working alone. Respondents to Sherry Linkon’s case offer wise advice about the need to frame and contextualize evidence about student learning—especially evidence such as video that lends itself to multiple interpretations. Peter Alexander’s response to Charles McDowell’s case suggests ways to make data-gathering an educationally valuable experience for students. Indeed, many of the authors

point to the value of involving students in the scholarship of teaching and learning; students can help frame questions, gather data, and apply findings.

Also helpful in a practical way, I hope, will be the Questions to Shape Practice that appear following the cases. They can be used by individuals to raise awareness of ethical issues but might also provide a framework for discussion with colleagues engaged in the scholarship of teaching and learning. Please feel free to copy (or adapt) and use the questions in campus conversations and other contexts.

Finally it's important to say that this volume is meant as a resource, not a final statement. As noted

at the beginning of this essay, attention to the “ethics of inquiry” is a natural development in the evolution of the scholarship of teaching and learning. The issues are complicated but they needn't be paralyzing. Even more, they are interesting issues, and important ones that deserve attention and discussion. The problems we pose as scholars of teaching and learning, the way we frame and investigate them, and the ways in which results are shared with others and used are reflections of our values. Rather than seeing ethical issues as problems to be managed, we can, I believe, see them as contexts for expressing what we most care about as educators and professionals.

#### Resources

- Anderson, Paul. “Ethics, Institutional Review Boards, and the Involvement of Human Participants in Composition Research.” In P. Mortensen and G. E. Kirsch (eds.), *Ethics and Representation in Qualitative Studies of Literacy*. Urbana, Ill.: National Council of Teachers of English, 1996.
- Association of American Colleges and Universities. “Report of the Greater Expectations National Panel, Executive Summary.” Draft, distributed at AAHE National Conference on Higher Education, Chicago, Ill., Mar. 2002.
- Bass, Randy. “The Scholarship of Teaching: What’s the Problem?” *Inventio* 1(1) [<http://www.doiit.gmu.edu/Archives/feb98/randybass.htm>]. 1999.
- Batson, Trent, and Bass, Randy. “Teaching and Learning in the Computer Age: Primacy of Process.” *Change*, 1996, 28(2), 42–47.
- Cambridge, Barbara. “The Scholarship of Teaching and Learning: Questions and Answers from the Field.” *AAHE Bulletin*, 1999, 52(4), 7–10.
- Campbell, P. W. “Ethics Panel Urges Better Safeguards for Human Research Subjects.” *Chronicle of Higher Education*, Daily News, Dec. 10, 1998. [<http://chronicle.com/daily/2002>].
- Cassell, J., and Jacobs, S. E. “Introduction.” In J. Cassell and S. E. Jacobs (eds.), *Handbook on Ethical Issues in Anthropology*. Washington, D.C.: American Anthropological Association, 1987. [[www.aaanet.org](http://www.aaanet.org)].
- Cerbin, William. “Investigating Student Learning in a Problem-Based Psychology Course.” In P. Hutchings (ed.), *Opening Lines: Approaches to the Scholarship of Teaching and Learning*. Menlo Park, Calif.: Carnegie Foundation for the Advancement of Teaching, 2000.
- Code of Federal Regulations, Title 45, Part 46. “Protection of Human Subjects.” Department of Health and Human Services, National Institutes of Health, Office for Protection from Research Risks. Revised November 13, 2001. Effective December 13, 2001. [<http://ohrp.osophs.dhhs.gov/humansubjects/guidance/45cfr46.htm>].
- Dale, Helen. “Dilemmas of Fidelity: Qualitative Research in the Classroom.” In P. Mortensen and G. E. Kirsch (eds.), *Ethics and Representation in Qualitative Studies of Literacy*. Urbana, Ill.: National Council of Teachers of English, 1996.
- Faden, R. “Protecting Human Subjects.” *Chronicle of Higher Education*, Oct. 20, 1995, p. A56.
- Gose, B. “Privacy Law Does Not Preclude Use of Student Graders, Supreme Court Rules.” *Chronicle of Higher Education*, March 1, 2002, p. A25.
- Huber, Mary Taylor, and Morreale, Sherry P. (eds.). *Disciplinary Styles in the Scholarship of Teaching and Learning: Exploring Common Ground*. Washington, D.C.: American Association for Higher Education, 2002.



- Mortensen, P., and Kirsch, G. E. (eds). *Ethics and Representation in Qualitative Studies of Literacy*. Urbana, Ill: National Council of Teachers of English, 1996.
- Newkirk, Thomas. "Seduction and Betrayal in Qualitative Research." In P. Mortensen and G. E. Kirsch (eds.), *Ethics and Representation in Qualitative Studies of Literacy*. Urbana, Ill.: National Council of Teachers of English, 1996.
- Shulman, Lee S. "Teaching as Community Property: Putting an End to Pedagogical Solitude." *Change*, 1993, 25(6), 6–7.
- . "From Minsk to Pinsk: Why a Scholarship of Teaching and Learning?" *Journal of Scholarship of Teaching and Learning (JoSoTL)*, 2000, 1(1), 48–51. [<http://www.carnegiefoundation.org/CASTL/highered/index.htm>].
- Sullivan, William. *Work and Integrity: The Crisis and Promise of Professionalism in America*. New York: HarperBusiness, 1995.
- Williams, Cheri L. "Dealing with the Data: Ethical Issues in Case Study Research." In P. Mortensen and G. E. Kirsch (eds.), *Ethics and Representation in Qualitative Studies of Literacy*. Urbana, Ill.: National Council of Teachers of English, 1996.
- Zeni, J. (ed). *Ethical Issues in Practitioner Research*. New York: Teachers College Press, 2001.

#### Internet Resources

- AAUP (American Association of University Professors). *Protecting Human Beings: Institutional Review Boards and Social Science Research*. Washington, D.C.: American Association of University Professors. [<http://www.aaup.org/statements/Redbook/repirb.htm>]. 2001.
- Center for Academic Excellence: Portland State University. "Center for Academic Excellence (Home)." [[www.oaa.pdx.edu/CAE](http://www.oaa.pdx.edu/CAE)]. N.d.
- Indiana University Office of Research and University Graduate School. "Bloomington Campus Committee for the Protection of Human Subjects." [[www.indiana.edu/~resrisk/stusub.html](http://www.indiana.edu/~resrisk/stusub.html)]. Nov. 29, 2000.
- Scholarship of Teaching & Learning at Indiana University. "Resources Regarding the Protection of Human Subjects in SOTL Research." [[www.indiana.edu/~sotl/humansub.html](http://www.indiana.edu/~sotl/humansub.html)]. Feb. 8, 2002.
- Visible Knowledge Project: Learning, Technology, Inquiry. [<http://crossroads.georgetown.edu/vkp>]. N.d.