ETHICS GUIDELINES FOR PH.D. PROGRAM IN NATIVE STUDIES
Approved by the Ph.D. Council, June, 2004

Ph.D. Program Vision Statement

The Native Studies Ph.D. Program at Trent University seeks to ensure that physical, mental, emotional and spiritual dimensions of Aboriginal knowledge, as reflected in traditional and contemporary world views and expressed in practice, are articulated, discussed, documented, recognized and experienced.

In order to achieve this vision, the Native Studies Ph.D. Program will offer an educational opportunity at an advanced level of study within a respectful environment. Students will be engaged in learning experiences that are centred in Aboriginal cultures in content and process and reflect the interaction between traditional and contemporary Aboriginal knowledge within the academic context. It is an interdisciplinary program developed and sustained in partnership with the Aboriginal community which seeks to advance learning through creative interaction of teaching, research and experience of the highest quality.

The Ph.D. program in Native Studies, the first of its kind in Canada, has a unique vision statement that roots the program in Aboriginal cultures and knowledge, both traditional and contemporary. The ethical guidelines outlined in this document are intended to translate the spirit of the vision statement into the conduct of dissertation research within the program.

Academic research in Canada must adhere to the Tri-Council guidelines for ethical research involving "human subjects". Section 6 of the guidelines, relating to research with Aboriginal peoples, is particularly relevant for dissertation research in the Native Studies Ph.D. program. The Tri-Council guidelines will be followed in the Ph.D. program. This ethics code complements the Tri-Council guidelines by placing ethical reviews within the values of the Ph.D. program.

Aboriginal peoples in Canada, and indeed Indigenous peoples around the world, have made important strides in articulating the ethical principles and processes that should guide respectful and good research in Indigenous contexts. The Ph.D. Program joins with other organizations in supporting and promoting a number of key principles that reflect basic conditions for ethical Aboriginal research.

These principles include:

#1 *Conducting research within the value frameworks of Aboriginal peoples, including such values as respect, reciprocity, honesty, kindness, caring and sharing.*

#2 *Ensuring that benefit flows to Aboriginal peoples from research, and that any potential negative impacts are minimized;*

#3 *Obtaining full and informed consent which, depending on the context may be both individual and collective, from those participating in the research or those affected by it;*

#4 *Respecting and protecting Aboriginal knowledge and the intellectual property of Traditional knowledge holders and Nations;*

#5 *Observing cultural protocols and traditions appropriate to the local area or research participants;*

#6 *Negotiating agreements or local protocols with appropriate authorities related to the conduct of the research, the ownership of data, the immediate and longer term use of the research materials, and publication of study findings;*

#7 *Entering into research partnerships with Aboriginal individuals, communities or organizations, to the extent that they desire;*

#8 *Disseminating results effectively to research participants and others affected by the research.*

While these overarching principles give considerable guidance in conducting research in Aboriginal contexts, the Ph.D. program needs to give more specificity to some aspects of these principles because of the particular nature of our program.

For example, because Native Studies is inter-disciplinary, Ph.D. students are engaged in many forms of research including historical research and cultural criticism. While academic bodies require research involving "human subjects" to undergo ethical review, all research undertaken in the Native Studies Ph.D. program will be held accountable to accepted principles of ethical Aboriginal research. All Ph.D. dissertation proposals will undergo Ethics Review through the Ph.D. Program's Ethics Review Board.

The researchers in our program are Ph.D. students, both Aboriginal and non-Aboriginal, and in this document, they will be referred to as "student researchers". Some may be doing research within their own Aboriginal communities or with their own relatives. The ethics code for the Ph.D. program must anticipate that research may be undertaken by cultural "insiders" or "outsiders" who may or may not be members of the community where the research is being undertaken.

Ph.D. dissertation research involves diverse subject matter utilizing different methodologies. Some research will be community-based, involving Aboriginal communities and organizations. Appendix A of this document includes guidelines for student researchers undertaking community-based research. Other research will not be

community-based. Some studies will be historical and will rely on archival data and/or oral history. Still others may be literary in orientation, or may explore the experiences of Aboriginal individuals living in different geographical settings or in urban settings. Studies may arise from the student's lived experiences and be oriented towards critical autobiography. Because of this diversity, it is important that these ethical guidelines are applied flexibly to each individual study.

This ethics code is an evolving document that will change over time as experience in the program as it grows. It is intended to infuse the spirit of the Ph.D. program's vision statement into the dissertation research. The following offers further elaboration of our understanding of the principles as they apply within the research of student researchers.

#1 *Conducting research within the value frameworks of Aboriginal peoples, including such values as respect, honesty, kindness, caring and sharing*

While the teachings of different Nations may vary in their emphasis on particular values, respect, reciprocity, honesty, kindness, caring and sharing are commonly held values of Aboriginal peoples. It is expected that student researchers will conduct themselves and their research relationships in a manner that is consistent with these values.

#2 *Ensuring that benefit flows to Aboriginal peoples from research, and that any potential negative impacts are minimized*

Research should have benefits for Aboriginal peoples, whether the research is community-based, literary, philosophical or historical. Benefit may be derived if the research is directly useful to an Aboriginal jurisdiction or individuals, or it may have benefit by pushing the boundaries of Aboriginal scholarship, or by contributing to scholarship in a more general sense. In all cases, the research should make a positive contribution to the lives of Aboriginal peoples and/or to Aboriginal or general scholarship.

Although it may not always be easy to determine if research has benefit, it is of utmost importance to consider this question carefully, and to determine if research might have harmful impacts. Where research affects a particular Aboriginal community, organization or group of people, consultation and discussion provide a vehicle to determine benefit and risk. In some cases, it may be appropriate to establish a research advisory group composed of individuals who are affected by the research. This group can provide guidance with respect to benefit and risk. In other cases, an Elder or Aboriginal community member may be included in the student's Supervisory Committee in order to ensure ongoing advice and guidance regarding benefit and risk, as well as other aspects of the research.

There may be competing interests that make it difficult to determine the benefits of proposed research. What may be beneficial to one party may not be considered beneficial to another. "Dissident" research or conflicts over whether research is beneficial must be assessed by the dissertation proposal committee and the Ph.D.

Program's Ethics Review Board, with particular attention to whether the benefits flowing from the research outweigh potential negative impacts. This is of considerable importance where a vulnerable population within a community may be affected adversely as a result of the research project.

#3 Obtaining full and informed consent which, depending on the context may be both individual and collective, from those participating in the research or those affected by it

Free and informed consent must be obtained from individuals who participate in research. This may be accomplished in a number of ways:

. Through completion of a written informed consent form, a copy of which is provided to the participant.

. Through taped informed consent as part of an interview (transcribed and both tape and transcription kept on file).

The process of informed consent may include traditional protocols such as the presentation of tobacco to Elders or other practices that are appropriate in the tradition of those agreeing to participate in the research.

Where the completion of written or taped consent is not appropriate in the context of traditional protocol, the researcher shall provide the Elder or Knowledge Holder with a written summary of the research purposes and the researcher's commitments so that the individual participating in the study is assured of the same protection as if the written or taped informed consent had been given.

In many research contexts, there is an expectation that research participants will have an opportunity to check transcripts for accuracy and will approve the use of quotations. Such understandings should be formalized in the consent form.

Where children are involved in the research, special attention will be given to ensuring that appropriate consents are obtained, including that of a parent or guardian and of other parties where appropriate, and where practical, of the children themselves.

Participants should be informed of the degree of confidentiality that will be maintained in the study. Confidentiality or recognition (e.g. expressions of appreciation) should take into consideration the wishes of the research participants. Requests of research participants regarding confidentiality, anonymity or recognition shall be respected. Decisions to recognize the contributions of individuals shall be taken after consultation with the individuals to ensure that the individual will not be jeopardized in any way through public acknowledgement of their contribution to the research.

In the case of historical studies involving archival or documentary materials, respect will be shown to the relatives and descendants and communities who may be affected by the

research. The Supervisor and the student will work closely together to determine where identities may be disguised or where consultation with various parties may be needed in order to demonstrate this value.

Where research is being undertaken within Aboriginal communities, organizations or other collectivities that may be affected by the research, the consent of the Aboriginal jurisdiction or collectivity may also be required. Depending upon the context, there may be a readily identifiable governing body (e.g. Band Council, Tribal or Nation Council, Metis Settlement Council, Board of an organization) that is the natural point of contact for collective permission to undertake research. In some instances, for example, a national study, there may not be an obvious point of contact. Supervisors, dissertation proposal committees, and the Ph.D. Program's Ethics Review Board should carefully assess whether collective consent should be sought and if so, from whom. Appendix A provides additional guidance for community-based research.

#4 Respecting and protecting Aboriginal knowledge and the intellectual property of Traditional knowledge holders and Nations

Past negative experiences with researchers have created understandable concern regarding the protection of Aboriginal knowledge and the intellectual property of Traditional knowledge holders and Nations. Issues of protection of Aboriginal knowledge and intellectual property should be discussed with research participants and Aboriginal jurisdictions as part of the preliminary discussions regarding the research.

It should be noted that under the regulations of Trent University, the student researcher is the copyright holder of the dissertation. Careful acknowledgement should be undertaken to ensure that the intellectual property of Aboriginal communities, Nations and Traditional knowledge holders is shown appropriate respect and protection.

Research participants, Traditional knowledge holders and Aboriginal jurisdictions must be afforded the opportunity to review proposed uses of Aboriginal or traditional knowledge they have shared and they have the right to decide whether their knowledge will be included in a dissertation. Student researchers shall provide a draft report to participating communities or organizations so that there is opportunity to comment and provide feedback on interpretations of data.

If the research is individually focussed, research participants shall be given the opportunity to review transcripts of their words and interpretations to confirm that any words attributed to them reflect their meaning. Revisions to draft materials should be made that respect the feedback given.

#5 Observing cultural protocols and traditions appropriate to the local area or research participants

Different Nations observe different protocols for establishing relationships and for sharing knowledge. To conduct research in a manner consistent with the values expressed in this ethics code, student researchers will need to be familiar with and follow local cultural protocols and traditions. Traditional knowledge holders must be approached in a culturally appropriate manner.

#6 Negotiating agreements or local protocols with appropriate authorities related to the conduct of the research, the ownership of data, the immediate and longer term use of the research materials, and publication of study findings

Many Aboriginal jurisdictions have established research protocols that they expect all researchers to follow. Such protocols will likely address issues such as ownership of data, use of research materials, and publication issues. As part of their preliminary research, student researchers should determine whether there are local protocols that relate to their research. The student researcher's dissertation supervisor should guide the student in the negotiation of the local protocol, and the Ph.D. program director must review the proposed local protocol prior to the signing of the agreement by the student.

If there is no local research protocol, student researchers might consider establishing a research agreement with the community. Appendix B contains a model research agreement that can be adapted for use in community-based research.

#7 Entering into research partnerships with Aboriginal individuals, communities or organizations, to the extent that they desire

Participatory research methodologies or partnerships are often used in establishing respectful research relationships in community-based research (please see Appendix A). The establishment of a local research committee is one mechanism that may be used to ensure that the interests of those affected by the research are represented in the research design, implementation, analysis, preparation of the research report, and dissemination of results. However, research processes are often time-consuming and costly, and research partners may wish to customize their involvement to meet their organizational demands. Research partnerships should be developed in a way that meet the needs of both parties (the student researcher and the research partner), and must keep in mind that the student researcher will be using the research for the dissertation.

#8 Disseminating results effectively to research participants and others affected by the research.

Sharing the results of research is fundamental in the academy and in Aboriginal research. In addition to preparing the dissertation for an academic audience, student researchers should also prepare additional documents that report their results in plain language and formats that are readily accessible to research participants and more general audiences. Print, web-based or electronic media, videos, conference papers or other creative formats

may be used. In some instances, translation into Aboriginal languages will be necessary to ensure that those affected by the research have access to the results.

A copy of the successfully defended dissertation should be deposited with Aboriginal jurisdictions and research partners.

ETHICS REVIEW PROCEDURES

The purpose of the ethics review process is to ensure that the conduct of research reflects the values underlying the Ph.D. program with respect to Aboriginal knowledge and Aboriginal peoples and communities. This review process is in addition to Trent University's ethic review process for human subjects and may be conducted in tandem.

- A Ph.D. Ethics Review Board will review Ph.D. dissertation proposals to ensure that they are in accordance with these guidelines and the spirit of the Ph.D. vision statement.

- The ERB will consist of three individuals: a Traditional person, a faculty member and a Ph.D. Council member. The Ph.D. program director is the ex-officio secretary to the ERB.

- The ERB will meet several times a year to review proposals to ensure maximum efficiency in expediting the review of proposals.

- Students whose proposals are being reviewed will be available in person, by telephone or some other means at the time of the meeting, should the ERB members have questions that need an immediate response from the student.

- If the research is community-based, it is recognized that respectful Aboriginal research often requires negotiation with communities and organizations, and this process takes time. In order to encourage and support participatory processes, it is desirable that some proposals be reviewed at different stages of implementation of the research design.

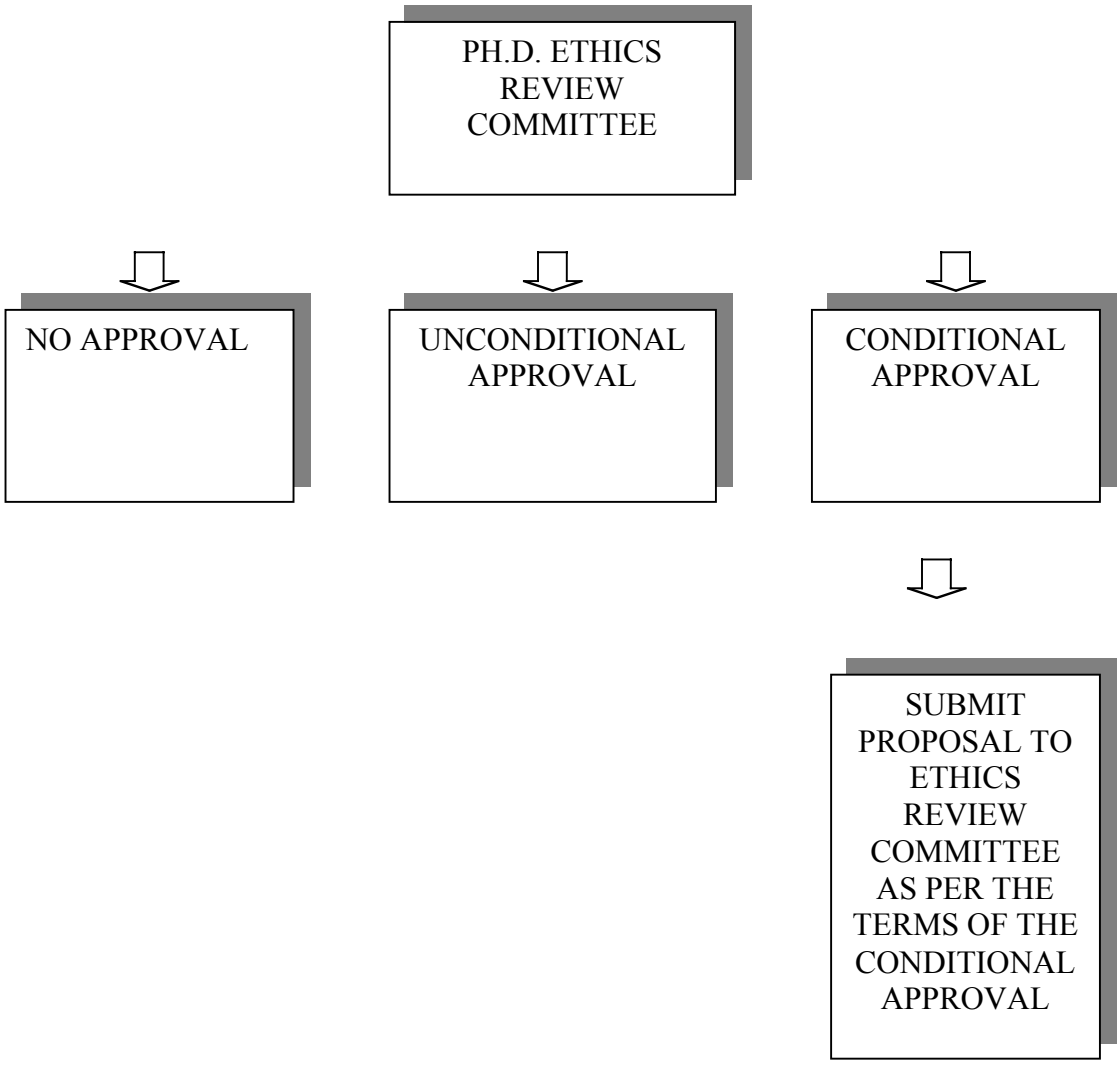
- A proposal may be approved conditionally, pending approval of a community or organization. It will then be returned to the Ph.D. Ethics Review Board for final approval. This final approval will take place within a fortnight, unless there are concerns raised that the researcher must address.

- Research proposals may be submitted for review by the Ph.D. Ethics Review Board prior to or at the same time that it is submitted for defence by a dissertation examining committee.

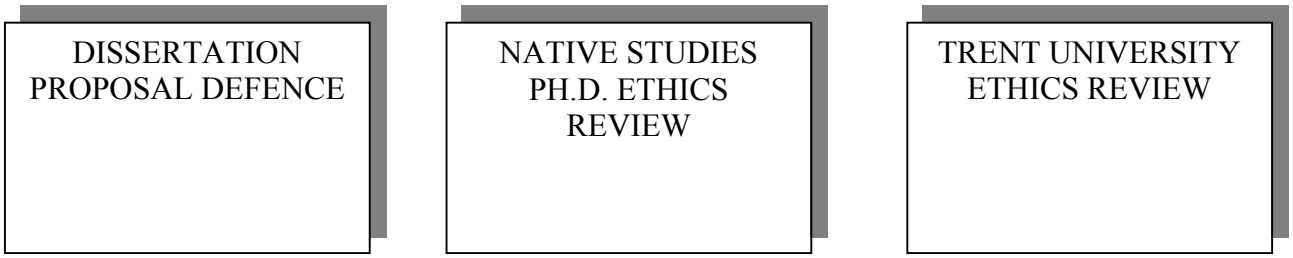
- The Ph.D. Ethics Review Board reserves the right to approve proposals conditionally and in stages, if there are different stages of the research that require ongoing monitoring, depending upon the specificities of the research project.

- Students shall prepare an ethics review package using the appropriate forms for the Native Studies Ph.D. Ethics Review Process. Where students will be conducting research that involves "human subjects" within the understanding of the university, Trent University's research ethics forms will also be completed and submitted.

PH.D. ETHICS REVIEW PROCESS



The following processes can be conducted in tandem, depending upon specific deadlines, in order to process proposals expediently.



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Appendix A
Native Studies Ph.D. Program
Guidelines for Community-Based Research

"Community-based research" in the context of these ethics guidelines refers to research that takes place within the territorial boundaries of an Aboriginal community (e.g. reserve community, Metis settlement, or Inuit settlement), or pertains to one or more Aboriginal organizations or "communities of interest" (as defined below). Community-based research often involves gathering data from members of the community. Student researchers who are engaged in community-based research need to take special care to ensure that individual and collective permissions are in place and that appropriate relationships are built.

Community-based research is valued in Aboriginal research for several reasons: it ensures that Aboriginal community members have a key role in research taking place within their territory or jurisdiction; it establishes a respectful relationship between the researcher(s) and those participating in the research; and it may offer a high level of community involvement and control over research processes and results.

Definitions:

"Community" is used in three distinct ways in these ethics guidelines:

1. The first is the notion of a territorial community such as a First Nations reserve, Metis settlement or an Inuit community. Territorial communities commonly have a governing body that is recognized as having jurisdiction and a responsibility to protect the territorial and cultural integrity of the community. In some communities, for historical reasons, there may be more than one governing body and the two bodies may or may not extend their mutual recognition. In relation to the research, the researcher may need to pay respect to one or both, depending upon the nature of the research, the kind of knowledge or information being sought and the existence of local research policies and protocols.

2. The second concept is the notion of a "community of interest" which represents individuals bound together through common bonds. There may be many "communities of interest" in a territorial community. Some may work in harmony with one another and others may be in conflict. Students may be pursuing research in relation to one community of interest that puts them in conflict with another community of interest or with the territorial governing body.

3. The third kind of "community" is an organization. An organization has characteristics of a territorial community in that it has a mandate (i.e. boundaries) and a Board of Directors who provide the organization's governance. It may also be considered a "community of interest" because of its focus on particular objectives.

The following provides a set of guidelines for students in undertaking community-based research:

1. In the best of all worlds, community-based research is perceived by the community as being relevant and beneficial. There is a perceived need for the research, and there may be a commitment to using the results of the research. Student researchers should be open to modifying their research plan to incorporate research questions that may be of relevance to the community in which they are conducting their research, subject to time and resource constraints.

2. a. Since the completed Ph.D. dissertation will become public information, it is expected that the governing body of a territorial community, organization or community of interest will be consulted regarding research that will be carried out within its territorial boundaries, within the organization or amongst its members. All community-based research should have the written consent of the community or organization prior to beginning the research process.

   b. Many Aboriginal communities have established research protocols that they expect all researchers to follow. Such protocols will likely address issues such as ownership of data, use of research materials, and publication issues. As part of their preliminary research, student researchers should determine whether there are local protocols that relate to their research. The student researcher's dissertation supervisor should guide the student in the negotiation of the local protocol, and the Ph.D. program director must review the proposed local protocol prior to the signing of the agreement by the student.

   If there is no local research protocol, student researchers might consider establishing a research agreement with the community. Appendix B contains a model research agreement that can be adapted for use in community-based research.

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3. Participatory research methodologies or partnerships are often used in establishing respectful research relationships in community-based research. The establishment of a local research committee is one mechanism that may be used to ensure that the interests of those affected by the research are represented in the research design, implementation, analysis, preparation of the research report, and dissemination of results. However, research processes are often time-consuming and costly, and research partners may wish to customize their involvement to meet their organizational demands. Research partnerships should be developed in a way that meet the needs of both parties (the student researcher and the research partner), and must keep in mind that the student researcher will be using the research for the dissertation.

4. Past negative experiences with researchers have created understandable concern regarding the protection of Aboriginal knowledge and the intellectual property of Traditional knowledge holders and Nations. Issues of protection of Aboriginal knowledge and intellectual property should be discussed with research participants and Aboriginal jurisdictions as part of the preliminary discussions regarding the research. Research participants, traditional knowledge holders and Aboriginal jurisdictions must be afforded the opportunity to review proposed uses of Aboriginal or traditional knowledge they have shared and they have the right to decide whether their knowledge will be included in a dissertation.

   It should be noted that under the regulations of Trent University, the student researcher is the copyright holder of the dissertation. Careful acknowledgements should be undertaken to ensure that the intellectual property of Aboriginal jurisdictions, Nations and traditional knowledge holders is shown appropriate respect and protection.

5. Issues with respect to ownership of the data, copyright and publication should be discussed with relevant parties at the beginning of the research process. Under current Trent University guidelines, the student has ownership of the dissertation itself. Further discussion should take place regarding the use of the data in written publications after the dissertation process, including the process that should be followed with respect to future permissions to use the data.

6. Student researchers have a responsibility to take the time to build good relationships with communities and organizations participating in the research. This means becoming familiar with local Elders, leadership, community members, values, beliefs, protocols and issues. It also means spending sufficient time so that the researcher's own capacities and character can be assessed by the community or organization(s).

7. Researchers should provide research update reports to the communities or organizations participating in the research every six months, or more frequently if appropriate. Written reports should be submitted, and in addition, oral reports should be made if appropriate and feasible.

8. Students will likely be limited in the monetary compensation that they may be able to offer research participants. Where monetary compensation may be expected because of community norms, this should be discussed at the outset. Reciprocity, then, will take different forms, depending upon traditional protocols or what has been negotiated between the student researcher and the community or individual participants.

9. In addition to preparing the dissertation for an academic audience, student researchers should also prepare additional documents that report their results in plain language and formats that are readily accessible to research participants and

community members. One or more in-person presentations may be appropriate in community-based research.

10. A copy of the successfully defended dissertation should be deposited with participating Aboriginal jurisdictions and research partners.

Appendix B

Model Community Research Agreement[1]

Between

_____

Name of Ph.D. Student Researcher

Mailing Address:
Department of Native Studies
Trent University
Peterborough, Ontario
K9J 7B8

Phone: _____

E-mail:_____

Fax: _____

AND

Name of Community or
Organization:

_____

Name(s) of Contact Person:

_____

Address:

_____

_____

_____

Phone: _____ E-mail: _____

Fax: _____

[1] Adapted from model drafted by Research Division, Inuit Tapiriiksat Kanatami

About Research Project Named:

_____

Conducting the Research

The student researcher, as named, and the community/organization agree to conduct the named research project with the following understanding:

The purpose of this research project, as discussed with and understood by this community/organization, is:

The scope of this research project (that is, what issues, events, or activities are to be involved, and the degree of participation by community residents), as discussed with and understood by this community/organization is:

The methods to be used, as agreed by the student researcher and this community/organization are:

(Where applicable) Community training and participation, as agreed, is to include:

Information (data) collected during research is to be shared, distributed and stored in these agreed-upon ways:

Informed consent of individual participants is to be obtained in these agreed upon ways:

The names of participants and the community are to be used or protected in these agreed upon ways:

Project progress will be communicated to the community in these agreed upon ways:

Funding (If applicable)

The student researcher has acquired funding and other forms of support for this research project from these sources:

The funding agencies have imposed the following criteria, disclosures, limitations, and reporting responsibilities on the student researcher.

Benefits

The student researcher wishes to use this research for their own benefit in these ways:

Use of the research for the Ph.D. dissertation

Benefits likely to be gained by the community/organization through this research project are:

Commitments

The community/organization's commitment to the student researcher is to:

The student researcher's commitment to the community/organization is to:

Protection of Intellectual Property

The student researcher and the community/organization agree to protect and use intellectual property in the following agreed upon ways:

. The intellectual property of the dissertation itself rests with the student researcher, as per the Ph.D. regulations of Trent University.

Uses of Research

The student researcher and the community/organization agree to that the following uses can be made of the research: