**Research Ethics Case Study**

**The Julie Watson Case: To Sign or To Speak?**

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Julie Watson is a third-year undergraduate student at a liberal arts college, and is currently enrolled in an interdisciplinary social science course on society and the environment. She has been enjoying the class a lot – the readings and discussions have been really engaging, and the professor, Dr. Harvey Black, is very enthusiastic and knowledgeable about the subject area. He also wants to help his students improve their qualitative research skills during the semester while also providing an opportunity for them to learn about a local organization’s efforts to encourage sustainability. To accomplish these two goals, Dr. Black has included a community-based assignment in the course that requires his students to interview several staff at an organization near the college and present their findings in a public poster session at the end of the semester.

While Julia is excited about this assignment because of its civic engagement component, she is also a little nervous about it because she has never conducted qualitative research interviews before. Some other students in the class have more research experience, and so she feels a little intimidated by them. But she knows that the experience will help her with research in her other classes and her major’s capstone project, and so she is ready to jump in. Dr. Black has assigned groups of three students each to research particular organizations, and has encouraged them to work as collaboratively as possible on the project. Julia’s partners are Julio Ramirez, a senior political science major, and Emma Chin, a sophomore who is thinking about majoring in anthropology.

Dr. Black wants his students to be involved in the full research process, and so has required each team to develop their own research proposals and submit them to the college’s Institutional Review Board (IRB). The college requires student research that involves human subjects to undergo review by the IRB, and Dr. Black has encouraged his students to learn more about the process from the IRB’s website. Julia and her group recently met to discuss their research ideas and map out their research plan. They came up with a good outline, and also delegated responsibilities to each other for different parts of the assignment. One of Julia’s assigned tasks is to draft the Informed Consent Form for the group.

In reading through the IRB’s website, Julia finds that she has the option to request a Waiver of Written Informed Consent, which would allow her team to obtain consent orally rather than in writing. She would still need to write up a script explaining the nature of the project and what the participants are consenting to, but instead of the participants signing the form, someone else serves as a witness to the participant’s oral consent. She discussed the two options with her teammates, and they were divided. Emma was concerned that if participants had to sign a formal document, they might be less likely and less able to participate in the research. She really wants to make sure they include as many different perspectives in their interviews as possible. Julio worried that they may be more likely to get in trouble if they didn’t have written consent forms on record. He is concerned the organization might try to sue them if they say something they don’t like. Since Julia had been doing the research, both said they really want to know what she thinks is best. What should Julia recommend to her team?

**Discussion Questions:**

***Who are the interested parties in this case, and what are their different rights and interests?***

* The case mentions four individuals in the case – what are their perspectives on the issue? Are there other parties whose interests Julia should consider as well?

***What are the key ethical issues and points of conflict in this case? What are the pros and cons of written vs. oral consent?***

* Consider the concerns expressed by Julio and Emma. Are these valid concerns? What are other concerns that Julia should take into account? What are the key tradeoffs in the decision?

***What are the possible consequences of the two different options?***

* If the team decides to go with oral consent, what are the most likely consequences of this decision? What are the most likely worst case scenarios that Julia should consider? For written consent?

***What are Julia’s ethical obligations in this situation?***

* Julia and her team have multiple and often conflicting objectives and obligations as responsible researchers. Map them out and describe how they relate to the issues that this case raises.

***What are some of the operational implications of the decision?***

* If oral consent is their preferred option, there may be several operational questions that come up. For example, will they need an independent witness involved in the process? If they are tape-recording the interview, can and should they record the participants’ consent? How should the team address these questions?

**Resources:**

Bebeau, Muriel J., Kenneth D. Pimple, Karen MT Muskavitch, Sandra L. Borden, and David H. Smith. 1995. “Moral Reasoning in Scientific Research.” Cases for Teaching and Assessment. Bloomington, IN: Poynter Center for the Study of Ethics and Assessment. <http://dsdev2.newark.rutgers.edu/sites/default/files/files/moral_reasoning_cases.pdf> (Framework for discussion questions above adapted from this work).

Davidson College. “Waivers of Written (Not Oral) Informed Consent,” <http://www3.davidson.edu/cms/x4770.xml>

Duke University Office of Research Support. “Guide to Writing Consent Forms and Oral Consent Scripts.” <https://ors.duke.edu/orsmanual/consent-forms-and-scripts>

Tufts University. “What Type of Informed Consent is Required for Research?” <http://www.tufts.edu/central/research/IRB/Informed_Consent_Type.htm>

Code of Federal Regulations, TITLE 45, PUBLIC WELFARE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, PART 46, PROTECTION OF HUMAN SUBJECTS§46.117 Documentation of informed consent. <http://www.hhs.gov/ohrp/humansubjects/guidance/45cfr46.html>

