

Appendix 8: IRB Policy Guidelines For Engaging in Research with Native American Communities

Adopted from the FLC Native American Task Force (2018)

Introduction: On Oct 11-12, 2018, members of the FLC Native American Task Force convened to discuss best practices concerning research with Native American populations. The Native American Task Force was comprised of Dr. Doreen Bird, Dr. Beth Leonard, Dr. Gayle Morse, Dr. Sheilah Nicholas, and Dr. Michael Yellow Bird. These members offered their professional and scholarly knowledge to contribute to our understanding of oral history, informed consent, levels of risk, cultural consultation, and unintended consequences with regards to research conducted in tribal communities and with our Native American study body. The following is a summary of the issues of concern raised around each topic, as well as recommendations for the FLC IRB to consider that would increase the cultural competence of our current research practices.

A. Conducting Oral History Research: The newly implemented “Common Rule” for federal guidelines states that oral history is excluded from IRB review because it does not align with the definition of generalizable research. This raises concern for FLC due to the high number of Native American students who come from communities in which oral history is a primary component of and venue for shared cultural knowledge. We recognize that Indigenous communities are traditionally oral societies and therefore we have an ethical responsibility to ensure that data collection through oral history research undergo a cultural review. A clear understanding of tribal sovereignty with regards to cultural knowledge as intellectual property is required to fully address the ethics around oral history research.

Issues of Concern

- 1) Oral history represents community knowledge and intellectual property of tribal nations.
- 2) Students conducting oral history research with tribal communities have the potential for inadvertently or covertly sharing community knowledge without consent of the groups/communities.
- 3) Asking students to gather knowledge from tribal members can be an exploitive way to retrieve cultural information that was not intended to be shared with the public.

Policy Guidelines:

- 1) Create an approval pathway between the student/faculty researcher and the tribal representatives and/or family members that are being interviewed. This approval pathway will align with community protocols for decision-making, and would result in a letter from the community member approving the project.
- 2) Create Memorandums of Understanding (MOUs) or other appropriate agreements between FLC and regional tribal councils to build relationships and create shared

understanding around the types of research and/or oral histories that can be conducted within their communities.

- 3) Investigate models at other institutions that require a cultural review of a proposed research project that focuses on research with Native American populations. (i.e. ASU, UNM Health Sciences Center)
- 4) Educate and support researchers in using collaborative, participatory models for community-research agenda setting.

B. Informed Consent: The history of Western scientific research with Native American populations has been marked by coercion and one-way flow of benefits from the participants to the researcher and the research institution. A more ethical and just informed consent process would specifically outline the nature of the voluntary agreement to participate in the research, as well as provide a clear statement of where and how the results will be distributed back to participants. These efforts will help build a reciprocal relationship between participant, community, researcher and research institution.

Issues of Concern

- 1) Words, phrases, and concepts in an Informed Consent Form do not have direct translation in other languages.
- 2) Results of a research project may never be made available to the participants that provided the information.
- 3) Participants may not be fully informed that declining to participate will not have any impacts to benefits or rights they have as a student or community member.

Policy Guidelines:

- 1) Provide Informed Consent Forms with appropriate language interpretations to fully reflect the nature of the research project. IRB will make available Spanish and Diné interpretations of the Informed Consent Form, and create other language interpretations as needed.
- 2) Modify the current Informed Consent Form so that participants can “opt in” to receive the results/findings of the project. Provide clear description of where, how and to whom the results will be reported. IRB will require that any final paper/project dealing with Native American communities is reviewed by participants before being presented to the public.
- 3) Modify the Informed Consent Form to include specific language that explains the voluntary choice of not participating will in no way affect a student’s grade, access to instruction, scholarships, financial aid, access to tuition waiver, or access to any resources on campus.

C. Understanding Risk: Research with Native American populations presents a unique risk due to the complexity of ways in which historical and current trauma may be present in participants' lives or within the community. Current theories acknowledge that not everyone responds to trauma in the same way; rather, it is specific to the tribal communities' unique history with colonization. In addition, genetic variance plays a role in the differing ways that trauma may manifest in a person's life.

Issues of Concern

- 1) Power dynamics between researcher and participant due to historical and contemporary issues may lead to risk of coercion.
- 2) Considerations of whether participant has true agency in deciding whether to participate in the study and open themselves to possible risks.
- 3) Risk from historical and contemporary trauma is unique to the individual, cannot be generalized to the whole.

Policy Guidelines:

- 1) Review research proposal to evaluate whether it is a collaborative inquiry and has clear intent of the research question(s).
- 2) Engage with participants to determine community centered research questions.
- 3) Weigh the risk of exposing trauma with the benefit of marginalized voices being heard.
- 4) Gather student input to get a better understanding of risk associated with historical trauma.

D. Cultural Consultation: Research proposals will be submitted to IRB that may need additional cultural consultation beyond the expertise and lived experiences of the current faculty represented on that committee.

Issue of Concern

- 1) The FLC IRB currently does not have any formal agreements with outside entities that could provide additional review of research projects involving Native American communities.

Policy Guidelines:

- 1) Establish relationship with the Southwest Tribal IRB to review projects at Fort Lewis College that interact with southwest tribal entities.
- 2) Continue to work with Navajo Nation Research Review Board to understand how undergraduate and graduate research aligns with their research code.
- 3) Create a list of literature and resources to better inform FLC IRB members as well as FLC researchers.
- 4) Add a FLC student on the IRB for additional perspective.

Other Considerations and Recommendations

1. Establish clear guidelines for who maintains control of the data collected from tribal communities.
2. Research findings must be accessible to the community in which data was collected.
3. Research results and findings concerning Native American populations should be reviewed and vetted by Native people.
4. Consider how Participant Observation changes the role of the researcher within the community in which they are observing.
5. Consider the unintended consequences of how a student researcher may be viewed differently in their community after conducting academic project.
6. Research should be defined by the community needs. Reach out to tribal partners to understand their research priorities.
7. Discuss and review the short time in which undergraduates are expected to do their research. Does the limited time create limitations to the ethical considerations that are required? Do Native American students carry additional responsibilities from non-Native colleagues in conducting research? How can research ethics and IRB process be presented and discussed before Senior Seminar projects.
8. Create a campus wide summit/seminar for addressing Native American research.
9. Understand how the language and practice of academic projects reinforce the Western paradigm of detached research. Consider new ways of talking about “re-searching” and “inquiry”.
10. Acknowledge and understand that the history of unethical research practices with Native people creates gatekeepers of knowledge within tribal communities.

Suggested Resources

Lambert, Lori. 2014. Research for Indigenous Survival: Indigenous Research Methodologies in the Behavioral Sciences.

<https://www.amazon.com/Research-Indigenous-Survival-Methodologies-Behavioral/dp/1934594121>

Garcia, Melinda, G. Morse, J. Trimble, D. Casillas, B. Boyd, J. King. 2017. “A Partnership with the People: Skillful Navigation of Culture and Ethics.” In Indigenous Cultures and Mental Health Counselling: Four Directions for Integration with Counseling. Ed by Suzanne Stewart, Roy Moodley, and Ashley Hyatt. Routledge: NY

Society of Indian Psychologists

Commentary on the APA Ethics Principles of Psychologists and Code of Conduct (2014)

Instructor's Manual for the SIP Commentary on the APA Ethics Code (2017)

Brayboy, Bryan McKinley Jones. 2005. "Toward a Tribal Critical Race Theory in Education." *The Urban Review* 37(5): 425-446.

Southwest Tribal IRB (Dr. Rachell Tenorio, IRB Director)

<http://irb.unm.edu/sites/default/files/Guidance%20on%20Research%20with%20AI%20Communities.pdf>

"Guiding Principles for Researchers Engaging with Native American Communities."

<https://psychiatry.unm.edu/divisions-centers/crbh/naprogram/guidingprinciples.html>

ASU model

<https://researchintegrity.asu.edu/human-subjects/special-considerations> the link to ASU's cultural review info..

UAF model (adopted from the University of Montana IRB):

<https://uaf.edu/irb/indigenous/?fbclid=IwAR01zIoIRRaNY7tUbsO1nDgYCRLLe88zn1oqYpsmromZSFm3uYrroKF5ftIw>