JAZZ, EB, AND ME: AN ETHICAL DILEMMA

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Not the best planned study, nor the perfect review from my university’s IRB could have predicted the ethical dilemma I experienced in implementing my doctoral degree requirements requiring a research project. I chose to research students at a Disciplinary Alternative Education Placement (DAEP) who were placed due to various offenses as serious as bringing a gun to school, fighting, or as frivolous as being considered a classroom disruption. Bochner’s and Ellis’s (2016) words of relational care and justice ethically clashed when two participants, Jazz and EB (pseudonyms), negatively crossed paths and left me at a cross-roads with an ethical dilemma. This dilemma involved the students’ relationships established at their home school, relational confidentiality, and because of their being participants in my study, participant confidentiality.

Participant confidentiality is a common ethical practice in qualitative narratives and interviews to protect and ensure participants can freely communicate and speak their truth without retaliation or reprisal (Connelly & Clandinin, 1990; Flick, 2014; Kim, 2016). Connelly and Clandinin (1990) deemed the process of narrative inquiry as an ethical matter framed in terms of principles that establish the boundaries the researcher functions within in their study. My study followed the University’s protocol of my attaining the Collaboration Institutional Training Initiative (CITI, 2020) ethics certification. The University’s standard participant consent form was used in the study. The dilemma I encountered was not even something my University could have foreseen. The dilemma was the fault of public education falsely placing a student, Jazz, in DAEP when an earlier participant in my study, EB, arranged to have Jazz beat-up. Jazz’s cries for help to her teachers and her principal were not acted on for weeks prior to the fight incident. Her mother’s calls and emails were also ignored. When the fight did occur, Jazz was sent to DAEP, but not EB. The principal at DAEP, with full knowledge of Jazz’s predicament, asked me if I would take her into my study. I was not privy to any of the background of Jazz’s unjust placement, at least not until she started her narratives and post interviews. The dilemma then came to light.

Given (2008) relates relational ethics as a current approach to explaining how actions and ethics are situated in relationships. The
relational rational is if ethics is about how we should treat and live out ourselves in our relationships then it is essential that we should live together in an ethical manner. EB was a student in my first round of student narratives in my study at DAEP. She had been placed at DAEP for fighting at her home school. She was a willing subject, but caustic the entire time she was in the study. Three weeks into the study EB’s parents moved her to relatives in another town. This is not an uncommon practice parents used to get their child out of their DAEP placement. The child then returns to their home school for the next six weeks, and the school district allows her to re-enroll. EB’s parting words when she left DAEP will forever be with me: EB leaned into me and with a pleading whisper she cried, “I can see myself on a good path making right decisions. I’m smart and can make good grades when I want to. I can see myself maybe being a nurse—those things are out there. But when it comes down to it, those good choices get so beat deep down in me, it’s just too easy to stay bad. Please help me, I really don’t want to be bad.” She then walked out of DAEP and out of the scope of my authority as a researcher. While EB was away with relatives, Jazz enrolled in EB’s home school.

The study was structured to have the students sharing why they were placed in a DAEP facility, which included a mandatory placement for serious indiscretions such as fighting with other students, hitting a teacher or administrator, taking illegal drugs, bringing a gun to school; and a discretionary placement for minor offenses such as choosing to be a constant classroom disruption. I was exploring if students sent to off-campus-ISS facilities could develop a sense-of-self through writing five narratives / five interviews that guided them to realize their self-worth and to be more self-directed. These narrative writings were meant to have 6th through 12th grade students become aware of their choices and that they had the ability to control their choices leading to better educational outcomes. The participants’ narratives were to be coded into data; as Bochner & Ellis state, their “narratives under analysis” (Bochner & Riggs, 2014, in Bochner & Ellis, 2016, pp. 183-184). At the end of my exploration the student relationship between two of my participants, Jazz and EB, Jazz’s narratives exposed EB’s actions against her. Those actions corroborated that EB, as she’d previously confessed in her own narratives at the beginning of the study, had been bullying other students. After EB’s re-enrollment both EB and the newly-enrolled Jazz were at the same school. An altercation, orchestrated by EB, caused Jazz to be unjustly placed in a DAEP, an off-campus lock-up facility. The collision of participant confidentiality and relational ethics with the two girls and with me created an unexpected
intersectionality between myself and the two participants that became an unexpected artifact and took my initial study into an unforeseen ethical dilemma.

It was a struggle to honor my relational ethics of confidentiality to both participants’ narratives. I did consult my research supervisor and was told I could not divulge the truth of Jazz being falsely incarcerated and placed in DAEP. Being a former teacher, I knew what having a DAEP placement on Jazz’s school record would academically and socially do to her. This stigma would negatively follow her throughout her public education journey. Neither of my participants were ever privy to the fact that I knew each of their stories connecting them to their DAEP placements. To my knowledge, Jazz did not know EB had been a participant at the beginning of my study. Counseling each participant, at different stages of the study, EB at the beginning of the study, and Jazz in the last session of the study, I knew information that intersected the truth of what EB did that could have exonerated Jazz from being in DAEP. I was now collateral damage to Jazz’s injustice. By staying true to my research ethics, I feel I ultimately, and ethically, failed all three of us. First, I did not consider I would have participants in the study that may have preyed upon each other. Second, my focused thoughts were of the students’ narratives based on the actions in the classroom concerning their teacher or their curriculum. I served as the uncomfortable common denominator that tied their narratives to each other and I had to be silent while Jazz was unjustly blamed for their fight, handcuffed in front of her peers, and removed from her classroom to be taken to DAEP. Even though EB had weeks prior been released from DAEP and returned to her home school, nothing happened to EB for orchestrating Jazz’s having to defend herself. My research ethics in effect did not allow me to intervene on behalf of Jazz to report that EB had ordered the beating of Jazz. This was an agonizing position to be placed in as a researcher.

I intently listened to Jazz’s story without ever mentioning EB. When possible, I would emphatically say things like, “Be sure to tell your mother to talk to the police and tell them what you have told me.” Jazz was assigned a parole officer who did act on her mother’s trail of emails and pleas for help before Jazz was forced into an altercation arranged by EB to take out the new girl at school. It took four weeks to undo Jazz’s arrest and DAEP placement. Jazz was released early and returned to her home school. Both Jazz and EB were once again at the same school even though EB was arrested and re-placed in DAEP starting at the beginning of the next school term. The die was
cast for innocent Jazz in the eyes of her teachers and peers—she was now forever labeled a ‘DAEP student!’

**DAEP and Jazz, EB and Me**

I had completed my third group of participant narratives and interviews when Mr. Wills, the campus counselor, asked me to consider doing another round of students for the last six weeks of the Disciplinary Alternative Educational Placement (DAEP)—an off-campus ISS facility. Relieved that my project was so readily accepted at DAEP, I excitedly agreed to work with the students he felt would benefit the most.

“I have an interesting female’s profile and I suggest you meet with this new intake today; there are some aspects I think you will find, ugh, I think you will find interesting,” Mr. Wills continued. Mr. Wills handed me her folder and to my surprise he immediately sent for her. Minutes later an articulate, demur, Hispanic, young lady stood before me. Her 5’4” stature instantly conveyed confidence, the same confidence that precipitated her being threatened and beat-up. “What did Wills think was so interesting?” I pondered. The only thing I had time to read in her file was the word, fight.

The minute I saw her I knew she was different.

“Good morning, I’m Ms. B., Mr. Wills thought you might be interested in being in a study I am conducting with DAEP students,” I explained. “Please have a seat.” She sat across a table from me and for the next ten minutes I gave her the details of the study; she looked me straight in the eyes and listened intently, but showed no emotions, no drama. Most of my DAEP participants listened but rarely looked me in the eyes. I felt they really didn’t hear me because they were so anxious to espouse their drama of, “I am innocent—She / He started it—I didn’t do anything—I’m not supposed to be here” were the typical student reactions when they met with me.

“Do you have any questions?” I paused to let her contemplate all she had been told.

“No Ma’am.” she softly murmured.

“Is this study something you may be interested in participating and writing the required five narratives, each followed by an interview about what you have written?” I inquired.

She leaned forward toward me and just as softly spoken as before, she said, “Yes, I would very much like to write those narratives; I have a lot to say.”
“Great, I look forward to reading your narratives.” I then repeated the explanations for the consent and assent forms. I stressed again the option to stop the study at any point if she felt she no longer wanted to participate. I then stressed that she could not start writing until the consent/assent forms were returned. I handed her the forms and thanked her for her interest in the study.

In her soft voice, she adamantly stated, “I will return these forms in the morning. Then she asked, “May I start writing tomorrow?”

“Of course, you may.” I said as I noticed her manners reflecting social skills I had yet to witness in a DAEP child.

Mr. Wills escorted her back to the gym where new intakes are processed into the system for their first five days of a 30-day lock-up at the DAEP facility.

Curiosity engulfed me. “How did she get here? Something is missing with this participant that the other students presented the minute they met me; she clearly does not belong here? Why isn’t this child in AP classes instead of this off-campus lock-up that is often referred to ‘warehousing’ the ‘throw-away’ students?” I hate those terms, ‘warehousing’ and ‘throw-away.’ All of these questions and realizations collided in my mind. My last question startled me back into the present. “Why wouldn’t an AP child be capable of being sent to a DAEP facility?” I snapped back at myself.

The student profile assigned to an off-campus lock-up facility clearly is not the profile of an AP student who conforms to the established educational mold found in American schools. Chills flashed through me—I physically shuddered. I was sure that there had to have been a huge mistake made by sending this child to an off-campus lock-up facility. Opening her folder, I began to read—nothing presented that could be a red flag. Again, my mind went racing through the system processes to find where the breakdown in communication could have tragically happened. I then argued with myself, “Hold on B, you were a teacher for over 20 years, and you’ve taught long enough to know there are two sides to every story and then there is the truth. You had better reel in these preconceived societal expectations of AP students and let her narratives unfold what she feels happened.” I then gave myself a stern warning, “Whatever went wrong, you are just the means to provide her the opportunity to examine her choices through narrative writings!”

The DAEP principal had arranged for me to meet students from 10 am to 11 am for their writing and interviewing time.
“Yes, you are thirty minutes early to be with the students,” I admitted aloud while sitting in my car outside DAEP. I finally go into the facility at 9:45am. I, slower than usual, put myself through the sign-in process to obtain a paper badge permitting me to be in the building. Securing the paper badge to my chest, I stopped at the assistant principal’s hall monitoring station and made polite conversation with Mr. Worthington, while keeping one eye on the clock and one ear on our conversation. Finally, I was allowed to go to Mr. Wills’ office, the acting counselor for DAEP. He assures me my new participant had returned her permission forms. There was a little excitement in his steps as he scurried off to the intake gym to retrieve my new participant. While Mr. Wills went to the gym, I reminded myself of my stern warning, “Whatever has gone wrong in the system, you stay out of this! Just provide the means for her to write her narratives.”

“Good morning Ms. B,” she whispered in her soft calm voice.

“Good morning, please have a seat at any table in the room that you feel comfortable writing your narratives (this is what was said to all DAEP participants). Mr. Wills gave me your consent forms this morning. Thank you for being so prompt with the consent forms signed and returned. If you still want to write this morning, we can get started with the first narrative of ‘How I Got to DAEP’.”

She responded with a sweet smile and nodded yes. I let her choose her writing journal and writing pen that I provided for all of my participants. I then recounted the study’s purpose and procedures. I also reminded her she could stop the study at any time without any repercussions. She took the journal and writing pen and sat at one of the many tables in our assigned room. In the same tone I used with all of the participants, I requested she write a pseudonym name on her journal. I requested she write Jazz. I then provided her with the first writing prompt and asked if she had any questions. She communicated with another smile and a nod, no. Trying not to show any emotions, my mind began to chase rationalizations of why this child was sent to DAEP. I felt awkward. Thoughts of, do not say or show any body language to influence her narratives, echoed in me as I presented Jazz with her first writing topic.

“I will be sitting across the room working on a class assignment of my own; please let me know when you are through with your first narrative,” I instructed. Jazz opened her journal and wrote the date and title of the writing as requested. Trying with every ounce of research objectivity that came so natural with my other participants, I took my seat across the 42’ room and busied myself with reading a book. I kept having to reread each page because I could not stay
focused on the information on the pages. I periodically glanced at the large clock on the wall to be sure minutes, not hours had passed.

When Jazz finished her first narrative, I thanked her for her participation and reminded her she could stop the study without any penalty as I calmly closed her journal and then called for Mr. Wills to escort Jazz back to the gym to continue her first week of conditioning at DAEP. Once they were out of sight, I read the following written in her journal.

Jazz 4/13/2016

“My Story About How I Got to DAEP” by Jazz

I feel like the situation could have been dealt with in a different way. I was being picked on for three weeks and I did what I was supposed to do, I told teachers and principals first. When they didn’t do anything about it, that kind of made me angry because teachers are supposed to do something about people being picked on. So, then I told my mom and she called the principal and left several messages. Still nobody did anything about it. I tried to be cool about everything, but a person can only stand something for so long.

This girl texted me and said, “You better be ready tomorrow because I’m going to beat your a**.”

Okay, I ignored that text. When I got to school, and everyone started forming a circle around the two of us and she ended up pushing me and it happened. I don’t like fighting at all and I stay to myself so I feel like I shouldn’t be getting picked on nor should anyone else.

It wasn’t fair that she only got suspended for three days and I had to come to DAEP. Teachers need to handle things better. I feel
like I can’t trust those teachers. The girl that I fought was Mexican and only had gotten suspended for three days.

CBs notes
Jazz’s writing is the best I have seen a participant produce. Something has to be missing with this participant’s story. She did all she could to protect herself, but she wasn’t protected. She is obviously frustrated but there is no overwhelming anger issue presenting, yet. I wonder what her mother is feeling about all of this. Maybe more will surface through the rest of the writings. Maybe during tomorrow’s interview over this first writing more information will come to light. Something is definitely not adding up.

Each student in the study does five writings over their assigned stay at DAEP. Titles are assigned to lead students to think about their part in being removed from their home campus. After students write their assigned topic, the next day I gave the participating students the opportunity to read aloud and discuss their narratives. The writings end with the students telling what steps they intend to take to prevent their return to DAEP.

Jazz’s first interview 4/18/2016:

CB “Good Morning Jazz, if you choose to, today you have the opportunity to tell me about your first narrative. Do you feel like talking about what you have written?” With a smile she nods yes.

Jazz “It’s just like I said, I was singled out. I told my teachers, I told my principal, and my mom called and left messages for the principal, but nobody helped me.”

CB Why do you think you were singled out by this girl?

Jazz Oh, it wasn’t one girl. There was a gang of girls led by this girl called ____ (my EB from the beginning of my study. I don’t even talk to EB but she decided she was going to ‘cut-me-down-to size, as she put it. I don’t understand how somebody I don’t even know or talk to wants me beat-
up. That girl, EB, was recently sent here [DAEP] and when she got back to school it all started. None of this makes any sense to me. I don’t understand how I got here.”

The second Jazz mentioned EB’s name, I momentarily stopped breathing. EB was one of the first participants in my DAEP study. Her mother took her out of DAEP and told the district they were moving to the another area. EB’s parting words to me were, “Please, help me. I don’t want to be bad.” Quickly pushing the memory of EB aside, I heard myself say to Jazz, “Would you like to write about what you would have liked to have happened?”

A gentle “Yes ma’am” was whispered as she reached for her pen.

Jazz

How I Would Have Liked for It to Go

Well, I wish that the whole thing would never happen because I don’t like to fight and argue with people. I’m nice to people or I’m quiet. I’m very athletic. But coming to DAEP is so not cool. I feel like the teachers could have handled it a different way. Like suspending me for one little fight that lasted 8 seconds. It wasn’t fair how the situation went, and it wasn’t even her first fight, but it was mine. She was only picking on me for no reason at all. She should be the one here, not me. But I’m just going to do the right thing to get out of here so that I can go back to my normal school and stay to myself like I did before.

When I go back to school, I feel like people are going to be messy and start something. I just feel like she or her cousin is going to start picking again.

Without the chance to discuss her response, it was time for Jazz to return to the gym. I thanked her for her willingness to be in the study. I reminded her she could stop the study at any time. I then asked her if she would like to continue the narratives; she nodded, then whispered a soft, “Yes.”
Jazz was escorted back to the gym.

CBs Notes

I did not see this complication of one, supposedly reformed, participant in this study go back to her home school to prey on yet another child. Jazz is the one sent to DAEP while EB goes free to bully anyone she feels intimidated by. What can I do? What do the demands of the ethics of my study dictate? What’s to dictate when an innocent child is incarcerated because of the acts of a veteran fighter? Will this invalidate my study with my professor, who is counting on publications from this study? Why didn’t I see this possibility when planning the study? I will consult with my professor, but I have a feeling I already know what I will be told to do. Absolutely nothing!

The study was to get the participant narratives based on five set topics that were meant to lead the participants to the realization that they were responsible for their actions and could change their thinking, thus change their course in life by having a more positive sense of self.

I sat bewildered by this poised young lady. It was like putting Mother Teresa in Rikers Island prison for jaywalking across a busy street. Did my facial expression reinforce her belief that she did not belong here? Did it show when she mentioned EB my instant dilemma? Was I being as objective with her as a participant as I did with my other participants? Jazz is not the stereotypical disruptive classroom student. Oh my God, did I just stereotype my participants? I clearly was not expecting to have a participant who did not belong in DAEP. I seriously questioned if I could be objective with this participant’s plight, especially since EB was involved in getting her sent to DAEP. My moral compass wanted me to go to her school, sit down with her principal and be an advocate for this child.

“No, I can’t do that in the middle of this study. This is not what I am here for. There must be more. Let her narratives unfold,” I muttered aloud to myself.

On consulting my professor, she advised me to ignore the fact that EB was the cause of Jazz being locked up. I was to just get the narratives. From that point on I felt like I was trapped in a glass box hermetically sealed so as to not contaminate the narratives; I had no way out. I had to see the encompassing dynamics of what was going on but could not break the glass to intervene in stopping a gross injustice to a child. My emotions ran the gamut of disgust to shame. As a teacher, when I needed to advocate for a student, I used to remind myself, “You’re the adult in the room, do the right thing!” Now look at me.
Shackled by bureaucratic research ethics, founded on getting a publication. What’s ethical about letting an innocent child be locked-up every day for thirty days when you know EB is the one who should be locked-up!

Jazz’s 2nd narrative 4/19/2016

“Is This Who I Really Want to Be?”

No, not at all. I rather be at a real school learning more than I’m learning here at DAEP. I don’t like the feeling of being here or wearing these cloths period [new entries had to wear orange overalls—like people in prison wear]. It’s just a very bad feeling and I’m not a bad person. I don’t even know what the principal or district put on my record. I feel like I should be in CA doing sports right now, not here not being able to do anything. But it’s kind of giving me a break away from those girls. But then again, I think when I go back to school, I’m going to have a lot to catch up on and extra tutoring so that I won’t fail my classes. I wasn’t even at that school half a year. I was at D______ and I didn’t even have a bad record there. The only two girls I know that surrounded the circle was EB and her cousin.

CB’s notes

I feel nauseated and dizzy just knowing my hands are tied. I have an obligation to this study, but I have an obligation to my research subjects, both of them—Jazz and EB. The narratives, you are here to provide the opportunity for the students to find themselves in their narratives. I must stay focused on the study. Surely there is more to this situation between the two girls than I know.

Jazz told me that she and her mother had a visit from a probation officer. She was surprised she was considered ‘on probation.’ Jazz was more concerned than angry. I have yet to observe her presenting anger. She is so level-headed for her age. Jazz presents a high emotional IQ. I would love to meet her mother.

The following is what Jazz wrote about the probation officer.
Jazz April 26, 2016

“Probation Officer”

Yesterday, I had a meeting with my probation officer. It was my first time seeing him or knowing him. His name is T__ P__. What I found out yesterday is what they told him is not the true story. They told him about something that I didn’t even have nothing to do with. The officer said I fought because of my friend fought. I didn’t even know where that came from. But my mom told him what really happened and he believed it so they made me and my mom sign a form and that got me off of probation and they said if I don’t get in anymore trouble this will clear off of my record when I turn 17. He told me and my mom to go talk to the District Attorney and they will do something about the other girl because they thought that it wasn’t fair for her to not get in trouble and I did.

They charged me with another girl’s fight and the principal told them [probation officer] I fought because of her. But at the end of my eight seconded fight, they handcuffed me, took me straight to jail. I didn’t talk to anyone, not even the principal. He never talked to me.

_CB’s notes_

After Jazz finished writing, she recounted her narrative about the probation officer. She confided that her mom was so upset that no one ever responded to her phone calls and emails asking for someone to help me because of the threats from the other girls. The mom was encouraged by the probation officer to take all those emails and phone records to the local District Attorney.

This sounds like a lawsuit. I can’t help but wonder if the principal even knew who Jazz was as a student or that she was new to the school. He certainly knows who EB and her cousin are and what they
are capable of doing based on their previous offences. The probation officer has made it clear that the principal didn’t have all the fact of this case when he hastily had Jazz taken from her classroom in handcuffs to an off-campus ISS lock-up facility, DAEP. How many other children have been treated this way? And what about the assistant and associate principals, or the counselors? How did they factor into letting Jazz be unprotected and falsely blamed? Oh God—the students—what about other students in Jazz’s position? They saw this injustice take place and may realize they may be the next victim with no one to help protect them. These are 6th graders for God’s sake. How do these children see our society? No wonder many students are disenfranchised from school and society; they probably feel safer by not being a part of the insanity of adults not properly doing their jobs. I can’t believe this—that’s exactly why I left the classroom, I could not be a part of the insanity of adults in education not properly doing their jobs. And now I have to ask myself, “Have I properly done my job concerning Jazz or EB?” Does my knowing the truth make me one of the non-responsive adults? Or does this make me disenfranchised like the students? This can’t be; it just can’t be.

The more Jazz reveals in her narratives, the more I feel I have to hide beneath my researcher façade pretending I know nothing of what EB is capable of doing to other children. I don’t want to be silent to Jazz’s principal. I don’t want to fail her like he did.

Right or wrong I had to do something. The only thing I felt I could do to be true to my ethics and to the study was to encourage Jazz to be sure her mother files a case against the school district to the fullest extent of the law. I encouraged her to stay in contact with the probation officer as a consultant to get through the legal red tape in hopes that Jazz’s name will be cleared on her education records. My conscience went so far as to let her know my distain for the system and then I retreated back to my glass box to let things naturally unfold. I never let her know that I knew EB or that she was in the study. Ethically, that was easy to do but ethically, I felt I failed Jazz for not being able to break my confidentiality about EB’s capabilities to prey on other students. If I had spoken on Jazz’s behalf and exposed EB’s part in arranging the fight, then ethically I would have betrayed EB. This ethical dilemma is now an artifact of my study; a study I have yet to publish.

Jazz continued her narratives to the end of the study even though she was sent back to her school earlier than her original assigned sentence at DAEP. I had the opportunity to say good-bye to Jazz and wish her well. I was thankful I was afforded at least that much closure for me.
Since it was the third week in May, I knew EB would start her DAEP assignment at the beginning of the next school year for her part in the debacle with Jazz. I somewhat felt as bad for EB as I did Jazz. Being a participant in the study, EB had gained a sense-of-self while in DAEP. But the study failed her because once she returned to her regular school environment, she regressed back to what she knew best, her anger and aggression.

If anything, I learned from my study is that developing a sense-of-self is not enough to change a person’s belief system to think and act more positively for themselves. After EB found that life changing opportunity of discovering her sense-of-self, there needed to be more scaffolding for her new-found identity to mature for her grow into who she realized she and all the EBs of this world could be.

References


