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Principles, Promises, and a Personal Plea

What Is an Evaluator to Do?

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The client of a student evaluation team has requested that the evaluators provide confidential identifying information gathered in the course of the evaluation. Here, the authors consider their response to the client's request. Specifically, they draw from professional principles developed to guide ethical decision making for evaluators and educators to consider the advantages and disadvantages of denying or meeting this request from a variety of stakeholder perspectives. The authors then use this stakeholder analysis to engage in imaginative thinking about the possible responses from which the student evaluation team can select. They conclude with a review of lessons learned from this challenging situation.

Keywords: *professional ethics; novice evaluators; stakeholder analysis*

One of the joys of doing evaluation is the unending opportunity to grow from challenging experiences. Of course, the stress and uncertainty that we often experience *during* the challenging moment can lead us to lose sight of its eventual benefits. Nonetheless, as evaluators, we are fortunate to participate in a professional community that promotes our collective learning through opportunities to engage in reflective practice where we can process and analyze challenging situations (Stevahn, King, Ghere, & Minnema, 2005). The evaluation scenario considered here provides such an opportunity. It involves student evaluators conducting an evaluation under the supervision of an experienced faculty member. These students are fortunate to encounter this evaluation challenge when they have the opportunity to collaborate with a more seasoned evaluator and mentor. Let's take a closer look at this evaluation situation and see what we can learn.

What Is the Ethical Challenge?

In the scenario under consideration, graduate students evaluating a campus diversity center have unearthed a finding that raises concerns about how some groups are portrayed during center-sponsored activities. Specifically, the results indicate that one center workshop leader may portray individuals from different racial/ethnic groups in a biased, negative manner. Given that this finding emerges within the context of a center dedicated (presumably) to increasing students' understanding of and respect for diversity, it is especially unsettling and poses cascading implications. When the student evaluators first noticed this finding, they

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returned to the data to examine whether they could trust their science. The students concluded that they should, in fact, include the finding in their report and briefing to the Diversity Center's director and student advisory board. In deciding to take this action, the student evaluators demonstrated their awareness of their ethical commitment to the principle of systematic inquiry included in the American Evaluation Association's (AEA, 2004) Guiding Principles for Evaluators (hereafter, "Guiding Principles"): "To ensure the accuracy and credibility of the evaluative information they produce, evaluators should adhere to the highest technical standards appropriate to the methods they use." Kudos to these students—and their faculty member who likely facilitated their learning of this ethical responsibility—for examining the "goodness of the science"; this is an especially important step for unexpected, and potentially controversial, findings.

With this decision in hand, the student evaluators briefed the Diversity Center's advisory board and director on their findings. Responses to their presentation were mixed. As these reactions to the findings were shared, the professor stepped in to indicate that they could not provide more specific information about the findings given confidentiality assurances that they had made to participants. The next day, the director of the Diversity Center called Professor Bern asking him to disclose the identity of the workshop leader. Our primary task here is to consider how Professor Bern might respond to this request, a request toward which he has conflicting feelings.

First Response

On receiving the director's request, Professor Bern must decide how to best handle the situation. We believe that Professor Bern's most immediate action should be to tell the director that he appreciates her desire to know this information and remind her of their promises of confidentiality to evaluation participants. He can then close the conversation saying that he needs to discuss the request with the student evaluators before he can respond to her any further. Responding to the director in this way has many advantages. First, it allows Professor Bern to reflect on the request without the direct presence—and related pressure—of the director. Second, it allows Professor Bern to uphold his obligation toward his students' professional development (Murray, Gillese, Lennon, Mercer, & Robinson, 1996). Third, in reminding the director of the assurances of confidentiality that he and his students made to evaluation participants, he is preparing her for the possibility that he will maintain his original position that he cannot disclose the requested information.

Once off the phone, Professor Bern can then turn to considering the student evaluators' involvement in deciding how to respond to the director's request. As their professor, his responsibility is to "contribute to the intellectual development of the student" (Murray et al., 1996, p. 59). Unless Professor Bern feels that the student evaluators could be substantially harmed through their involvement in considering how to respond to the director's request (a feeling for which we can identify no rationale), it is reasonable for Professor Bern to foster their development as evaluators by continuing to treat them as junior colleagues. As part of treating the student evaluators as junior colleagues, Professor Bern should include them in all aspects of conducting evaluation and not needlessly (over)protect them from very real evaluation dilemmas. Following this analysis, Professor Bern can then convene the student evaluators to brief them on the request. Then together, they can begin to analyze the situation and imaginatively review their options (Reynolds, 1996).

Stakeholder Analysis

A stakeholder analysis is an important first step as the student evaluators and professor begin to reflect on the situation. There are six primary groups that might be considered by the evaluation team. In the analysis, Professor Bern and the student evaluators reflect on how each group might be harmed or benefited by the response to the director. Here, we review each group's perspective and the advantages and disadvantages of either disclosing or not disclosing the workshop leader's identity. See Table 1 for an overview of the primary themes in this analysis.

Professor Bern

Professor Bern is torn about how to respond to the director. *Why* does he feel torn? Professor Bern likely feels obliged to uphold the Guiding Principles (AEA, 2004), set a good example for ethical conduct to the student evaluators, and maintain the confidentiality guarantees that the evaluation team offered to evaluation participants. One of the elements of the AEA Guiding Principle "respect for people" is that evaluators should "abide by current professional standards...regarding confidentiality, informed consent, and potential risks or harms to participants" (AEA, 2004). With this in mind, it would appear that the least harm could come to Professor Bern by denying the director's request.

But there are other considerations, including, as noted in the Guiding Principle of "responsibilities for general and public welfare": "Evaluators should maintain a balance between client needs and other needs" (AEA, 2004). In this evaluation, the center director and advisory board were doing Professor Bern a favor by allowing the students to conduct an evaluation with them. As such, Professor Bern may feel obliged to be helpful to the director as evaluators often want to be to their clients. He may also be concerned that failing to respond to the request might harm his relationship with the director, who is a university colleague. In other words, failing to respond to the director's request, Professor Bern may be putting professional relationships in jeopardy.

Student Evaluators

The position of the students is similar to that of Professor Bern in that they hold the same obligations to evaluation participants. However, their relationships with the student advisory board members, workshop leaders, and center participants may bear greater significance to them. Their reputation and relationships with these student peers are important considerations and may influence their decision-making process.

One of the AEA competence principles is relevant here: "Evaluators should possess (or ensure that the evaluation team possesses) the education, abilities, skills and experience appropriate to undertake the tasks proposed in the evaluation" (AEA, 2004). The students' relatively limited evaluation experience may mean that they are ill-prepared to successfully negotiate these relationships. However, there is value in this learning experience. Similar experiences are likely to be presented throughout their professional careers, so negotiating multifaceted relationships is an invaluable skill. This situation is an opportunity for Professor Bern to promote the student evaluators' learning and boost their competence. For example, Professor Bern can help the student evaluators reflect on their ethical responsibilities and how those might translate into actions that would minimize any negative effects on these relationships.

Table 1
Stakeholder Analysis of the Advantages and Disadvantages of Disclosing the Workshop Leader's Identity

Stakeholder	Disclose Identity		Do Not Disclose Identity	
	Advantages	Disadvantages	Advantages	Disadvantages
Professor Bern	Preserve relationship with Diversity Center director	Potential violation of AEA Guiding Principles; potential to set poor example for students	AEA Guiding Principles are upheld; students receive instruction on ethical behavior	Professional relationship with Diversity Center director is in jeopardy
Student evaluators	Relationship with Diversity Center director is maintained	Loss of experience in conducting an ethical evaluation; may not have appropriate competencies to address situation effectively	Students develop valuable professional skills	Relationship with Diversity Center director is maintained
Diversity Center director	Potential to provide additional training to center staff and workshop leaders	Relationships with center staff and workshop leaders may be in jeopardy once it is known that the director has confidential information	Broadly addressing situation may benefit the Diversity Center as a whole	Potential inability to effectively and efficiently address problem
Student advisory board and workshop leaders	Potentially benefit from improved work environment and uphold center's mission	Increased likelihood for conflict or friction between staff and workshop leaders	Confidentiality is maintained; reduced likelihood for conflict among staff	Unnecessary participation in broad corrective action such as trainings or meetings
Diversity Center participants	Decreased likelihood of future exposure to negative attitudes and stereotypes	Violated confidentiality agreement; decreased participation in future evaluations	Confidentiality and trust are preserved	Decreased participation in future events because of negative attitudes and stereotypes
Individuals that belong to the racial/ethnic group of interest	Individual and situation are addressed to prevent future incidents and harm to group	Addressing individual may negate broader interventions that may yield greater benefit	Diversity Center addresses issue more broadly and in doing so raises awareness	Individual who expressed the negative attitudes and stereotypes is not held accountable

The Director

Professor Bern and his students do not know how the director would use the information about the identity of the student workshop leader who is expressing the negative representations of members of particular ethnic/racial groups. However, they surmise that she would take some targeted action, such as dismissal or additional training on how to provide balanced and accurate portrayals of various racial/ethnic groups. In the absence of knowing the identity of the workshop leader in question, she may have to expend considerably more effort and resources to address the problem. Although a more broadly focused response may demand more resources, it may also prompt important dialogue among the center's leaders. A more broadly focused approach may also promote organizational-level change, which could have greater benefits than individually focused responses (Dalton, Elias, & Wandersman, 2001).

Looking at it the other way, the evaluation team can consider how knowing the identity of the workshop leader could harm the director. If the director takes any actions targeted toward the workshop leader, others may become aware that she acquired the knowledge. This could have negative consequences on her relationships with the students and potentially other colleagues. For example, they might question how she came to have the information and, potentially, why she chose to withhold the information from the advisory board. If the staff members of the center were the source of some of the evidence and they become aware that their confidentiality has been breached, negative implications are numerous, beginning with the potential conflict among members of the center. Furthermore, the discovery of this breach of confidentiality could bring harm to Professor Bern if he is suspected of inappropriately disclosing the information.

Student Advisory Board and Workshop Leaders

These students share much with the director: They too are concerned with maintaining effective, sensitive Diversity Center activities. Where their similarities diverge is that it is one of their peers whose behavior is of concern. We should point out that most of these individuals are probably already aware of the individual's identity; indeed, some of them may have shared this information with the student evaluators. As such, having the person's identity shared with all could place them in uncomfortable positions with their peers, especially if they are involved in any corrective actions. Just as important, if the evaluators release the information and it becomes known who reported on the workshop leader's questionable behavior, trust might be impaired and relationships among the group would suffer. On the other hand, not revealing the identity of the workshop leader might result in the need for more broadly focused interventions that would necessitate their participation. Although a broader response would demand more of their time, as previously noted, such an approach may foster larger-reaching organizational-level change.

Diversity Center Participants

Students who attended Diversity Center workshops have been, at least in some cases, subjected to the negative attitudes toward the ethnic/racial group in question. They are also the ones who completed evaluation surveys and reported what was happening. When evaluation participants shared their opinion, they were at a minimum told that the findings would be reported in a way that would not reveal their identity. If the professor were to disclose the workshop leader's identity to the director, there is the possibility that the workshop leader in question might be able to identify individuals who provided the data. The repercussions of such knowledge could be far-reaching and varied (e.g., increased tensions, decreased participation

in the center's programming, and perhaps decreased likelihood to participate in future evaluations). In the absence of disclosure, this risk is avoided.

Individuals Belonging to the Racial/Ethnic Group of Concern

Some ethical frameworks emphasize the importance of professionals identifying the most vulnerable group and holding themselves accountable to that group (Mertens, 1999; O'Neill, 1989). In a similar vein, evaluators operate under the principle of responsibilities for general and public welfare, including: "Evaluators should consider not only the immediate operations and outcomes of whatever is being evaluated, but also its broad assumptions, implications and potential side effects" (AEA, 2004). These directives push the evaluation team to consider the implications of their situation for the ethnic/racial group that has been negatively portrayed. Of note, in this scenario we know little of the historical and current sociopolitical position of the group in question. Their relative positions of advantages or disadvantages, and power or lack thereof, are hence unknown. However, no matter what the status of the ethnic/racial group, the students must consider potential harms associated with revealing or not revealing the identity of the workshop leader, and specifically, whether the director and advisory board need to know the leader's identity to address the problem uncovered by the evaluation.

Imaginative Thinking

After undertaking a stakeholder analysis and thinking more thoroughly about what is at stake for each group, the evaluation team is now better positioned to imagine the possible options (Reynolds, 1996). Let's join them for this reflection: How can the evaluation team respond to the director's request?

One option before the team is to identify the workshop leader to the director. What professional principles would direct—or defer—the evaluators from this approach? With regard to the Guiding Principle on competence (AEA, 2004), it has been proposed that one evaluator competency is an evaluator's ability to foster use of the evaluation findings (Stevahn et al., 2005). If the evaluation team felt that providing the information would foster use of the evaluation findings, they might be pulled to disclose the information. However, as mentioned earlier, one of the Guiding Principles of responsibilities for general and public welfare indicates that the evaluators cannot only consider the client's expressed needs, they must also consider the needs of others (AEA, 2004). In addition, as suggested under the principle of respect for people, the evaluators informed evaluation participants about the scope and limitations of confidentiality (AEA, 2004). It is reasonable to assume that the evaluators did *not* indicate to respondents that if asked by the client, they would break these promises. Given a lack of compelling justification to break confidentiality provisions, it would appear that the evaluators would not be ethically justified in disclosing the information to the director.

A second option for the evaluation team could be to return to the evaluation participants and ask for their permission to reveal information that they had initially stated they would not disclose in reporting the findings. Although such a step would demonstrate "respect for people" (AEA, 2004), it is probably infeasible. It is unlikely that the evaluators collected data in a way that would allow them to identify all of the original respondents; even if they could, they may not be able to reach all participants; and of those that they could reach, it is likely that few would agree to the new provisions.

A third possibility then is for the evaluation team to inform the director that their ethical obligations prevent them from disclosing the identity of the workshop leader. This decision could place tension on their relationship with the director. Knowing this, perhaps we can help the evaluation team think of ways to help maintain their positive relationship with the Diversity Center. In fact, another aspect of the respect for people principle is an evaluator's duty to: "seek to maximize the benefits...that might occur" (AEA, 2004). Considering this directive, the evaluation team can offer to assist the director in moving forward to constructively address the problem. For example, the evaluators, director, and advisory board can likely collaborate to consider how to act on the findings in the absence of more specific information. Ideas that they might consider include the value of a broader intervention targeted at organizational-level change and/or the possibility of the center's leaders doing their own observations of workshops. Or the evaluators might offer to conduct a literature search, consult with experts on ways to address such problems in diversity programs, or serve as facilitators of organizational development processes targeted at correcting the concern identified. Without knowing the evaluators' background or the areas of Professor Bern's expertise, it is difficult to identify what might be within their competent scope of practice. However, we believe acting on this third option would involve the least harm while maximizing benefits.

Lessons Learned

Engaging in reflective practice helps us consider what lessons we can derive from encountering ethical challenges, especially those lessons that might help prevent such challenges from emerging. This scenario illuminates several lessons. First, the challenge encountered by the evaluation team emphasizes the continued need for evaluators to educate evaluation clients and consumers about our practices and ethical responsibilities. Of particular importance here is the need to clearly articulate the scope and limitations of confidentiality provisions. Explicit, written agreements that are carefully reviewed by all parties are one way of instigating a dialogue about these expectations and responsibilities. Written agreements should detail provisions of confidentiality and the conditions under which such provisions would be broken. The other advantage of written agreements is that they provide documentation to refer back to when a client asks questions following the evaluation. It is not clear whether the evaluation team had a written agreement with the Diversity Center.

Second, we also wonder what the evaluation team could have done to anticipate that such a finding might occur and/or helped the director and advisory board prepare for such a finding. Related to this, under respect for people: "Evaluators should seek a comprehensive understanding of the important contextual elements of the evaluation" (AEA, 2004). In the context of a Diversity Center, it is reasonable to imagine that findings related to cultural bias might emerge. Knowing this, there are two things that the evaluators might have considered doing during the course of this work. First, as Patton (1997) advocated, the evaluators might have worked with the director and advisory board to identify possible findings and how they would act in response to each possible finding. In the course of these activities, the possibility of the finding that some workshop leaders convey negative stereotypes might have emerged, especially if any advisory board members were aware of the issue. In reflecting on this possibility, the evaluators could have worked with the director and advisory board to help them consider what they would do with such a finding as well as to identify what specific information they would need to know about such a problem to address it. This latter reflection might have spurred the evaluators to change data collection instruments and/or decide to

inform evaluation respondents that although their identity would not be disclosed in any reports, the names of individuals about whom they are reporting data may be disclosed. Second, knowing about the possibility of such negative results, the evaluators might have paid particular attention to issues related to the representation of or beliefs about various racial/ethnic groups during initial work with the client, including their initial meetings and logic model development. In purposively watching for the emergence of these issues, the evaluation team might have been in a better position to proactively address the problem.

The seeming lack of preparedness of the evaluation team for a finding about representations of a particular ethnic/racial group in the context of a diversity program raises the question of whether the team possessed the cultural competence skills necessary to conduct this evaluation. This is a concern given the attention to cultural competence in the overarching Guiding Principle of competence: "To ensure recognition, accurate interpretation and respect for diversity, evaluators should ensure that the members of the evaluation team collectively demonstrate cultural competence" (AEA, 2004).

A final lesson from this scenario addresses the context for the evaluation experience that Professor Bern set up for his students. Professor Bern selected the evaluation context because the Diversity Center is part of his university, and he was thus able to set up the collaboration in advance of teaching the graduate seminar. Furthermore, the center is likely as committed as Professor Bern is to promoting students' development and, therefore, was willing to allow students to practice their evaluation skills with them. These relationships require consideration of the Guiding Principle of integrity/honesty, which notes, "Before accepting an evaluation assignment, evaluators should disclose any roles or relationships they have that might pose a conflict of interest (or appearance of a conflict) with their role as an evaluator" (AEA, 2004). Given the ethical dilemma that Professor Bern is currently grappling with, we hope that in the future he—and other evaluators in similar positions—will give serious thought as to whether it is wise to undertake evaluations where relationships with colleagues might present conflicts of interest that undermine the ethical integrity of the evaluator's work.

Conclusion

In summary, we emphasize the importance of the stakeholder analysis to identify the evaluation team's ethical concerns and responsibilities related to responding to the director's request. The evaluation team's reflections centered on the key considerations of the collegial relationships with and among program stakeholders, the ability of the evaluation findings to inform responses to identified problems, and the assurances provided to evaluation participants. Our analysis leads to a solution that we feel supports the indicated change while also avoiding violations of professional ethics: The evaluation team should decline to identify the workshop leader to the director and instead work with the Diversity Center to constructively address the problem. Our reflections also shed light on lessons that we can learn from this situation, including the need for evaluators to educate clients and consumers on our ethical codes, having written agreements, anticipating controversial findings and working to proactively address their eventual emergence, creating a team with considerable cultural awareness, and carefully examining conflicts of interest before engaging in an evaluation. Wow, that's a lot to learn from one evaluation, especially for novice evaluators! As we noted earlier, the student evaluators surely benefited greatly from the mentorship of a more seasoned evaluator with the skills necessary to help them navigate through a challenging experience with informed reflection and ethical resolution.

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