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Eastern Kentucky University
Institutional Review Board

Investigator Handbook

This handbook is provided for use beginning on January 21, 2019 and is intended to serve as an informational resource for investigators and faculty advisors. The guidelines in this handbook seek to ensure compliance with regulations outlined in the Code of Federal Regulations Title 45, Subtitle A, Subchapter A, Part 46: Protection of Human Subjects. Unless otherwise noted, all parenthetical references are to specific sections of 45 CFR 46.

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Introduction to the IRB

Purpose and Mission of the IRB

Federal regulations require the appointment of an Institutional Review Board (IRB) that is responsible for overseeing the use of human subjects in research projects at an organization. At EKU, the IRB is made up of faculty representing a variety of fields and a community member who is not affiliated with the University.

The IRB's mission is to ensure the safe and ethical conduct of research with the goal of protecting human subjects. IRB members function as advocates for human subjects' rights, safety, and welfare. The committee has the power to review, approve, require modifications to, or disapprove proposed human subjects research activities.

IRB Jurisdiction

What is Subject to IRB Review?
All studies, regardless of funding source, that involve human subjects research are subject to review by the IRB prior to initiation. To determine whether a study is subject to IRB review, the definition of human subject and the definition of research should be examined.

> A **human subject** is a "living individual about whom an investigator (whether professional or student) conducting research: (i) Obtains information or biospecimens through intervention or interaction with the individual, and uses, studies, or analyzes the information or biospecimens; or (ii) Obtains, uses, studies, analyzes, or generates identifiable private information or identifiable biospecimens" (§46.102).
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> **Research** is defined as "a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to generalizable knowledge" (§46.102). A systematic investigation is an activity that involves a prospective plan incorporating data collection (quantitative or qualitative) and data analysis to answer a question. Investigations designed to develop or contribute to generalizable knowledge are those that are designed to draw general conclusions, inform policy, or facilitate change in practice.

What is Not Subject to IRB Review?
Projects that do not involve data collection and analysis with an intention of contributing to generalizable knowledge are not subject to IRB review. An example of a project that would not be considered human subjects research is a student project that occurs in the classroom if there is no intention of using the results for any purpose other than a class assignment. This type of project is undertaken as a learning experience to help students understand the process of conducting research, and the focus is not on producing meaningful results. In these cases, only the student and instructor have access to the results, and the project's purpose ends when a grade is assigned. However, some class assignments are undertaken with a broader purpose that makes them subject to IRB review. For example, if a student intends to later use data collected as part of a class assignment for a thesis project or if a student plans to share the results with an audience outside the classroom (i.e., with colleagues at the student's place of employment), he or she is required to seek IRB approval prior to initiating the data collection process. Thesis or dissertation projects conducted to meet degree requirements are subject to IRB review and approval any time human subjects are involved.

Federal regulations have specifically deemed the following activities not to be research (§46.102):

1. Scholarly and journalistic that focus directly on the specific individuals about whom the information is collected – *unless the information is collected for the purpose of a systematic investigation designed to develop or contribute to generalizable knowledge.* Examples of such activities include oral history, journalism, biography, literary criticism, legal research, and historical scholarship.
2. Public health surveillance activities, including the collection and testing of information or biospecimens, conducted, supported, requested, ordered, required, or authorized by a public health authority. Such activities are limited to those necessary to allow a public health authority to identify, monitor, assess, or investigate potential public health signals, onsets of disease outbreaks, or conditions of public health importance (including trends,

signals, risk factors, patterns in diseases, or increases in injuries from using consumer products). Such activities include those associated with providing timely situational awareness and priority setting during the course of an event or crisis that threatens public health (including natural or man-made disasters).

3. Collection and analysis of information, biospecimens, or records by or for a criminal justice agency for activities authorized by law or court order solely for criminal justice or criminal investigative purposes.
4. Authorized operational activities (as determined by each Federal agency) in support of intelligence, homeland security, defense, or other national security missions.

Definitions

Adverse Event: An unexpected or serious negative event occurring in the conduct of a research project (must be reported to the IRB within 10 days of occurrence)

Assent: A child's affirmative agreement to participate in research. Mere failure to object to participating may not be construed as assent.

Beneficence: Requires that researchers maximize the potential benefits to participants, or to society, while minimizing the potential risks of harm

Children: Individuals who have not attained the legal age for consent to treatments or procedures involved in research, under the applicable law of the jurisdiction in which the research will be conducted (age 18 in Kentucky)

Clinical trial: A research study in which one or more human subjects are prospectively assigned to one or more interventions (which may include placebo or other control) to evaluate the effects of the interventions on biomedical or behavioral health-related outcomes. The following questions should be used to determine whether a study meets the NIH clinical trial definition:

- Does the study involve human participants?
- Are the participants prospectively assigned to an intervention?
- Is the study designed to evaluate the effect of the intervention on the participants?
- Is the effect being evaluated a health-related biomedical or behavioral outcome?

If the answers are all "yes," the study is a clinical trial. If any answers are "no," the study is not a clinical trial

Federalwide Assurance (FWA): A written agreement that establishes standards for human subjects' research as approved by the federal Office for Human Research Protections and is executed by the institutional official

Human subject: A living individual about whom an investigator (whether professional or student) conducting research: (i) Obtains information or biospecimens through intervention or interaction with the individual, and uses, studies, or analyzes the information or biospecimens; or (ii) Obtains, uses, studies, analyzes, or generates identifiable private information or identifiable biospecimens

Identifiable biospecimen: A biospecimen for which the identity of the subject is or may readily be ascertained by the investigator or associated with the biospecimen

Identifiable private information: Private information for which the identity of the subject is or may readily be ascertained by the investigator or associated with the information

Informed Consent: Requires that participants are provided with information about a study to assist in their informed decision of whether to participate, are given explicit assurances of the voluntary nature of their involvement in terms that are easy to understand, and are not under duress or pressured to serve as participants

Institutional Official: The individual with the authority to provide compliance assurances to federal agencies and for issuing other official documentation on behalf of the University. EKU's institutional official is the Associate Vice President for Research. As of January 1, 2019, the institutional official at EKU is also serving as interim Provost.

Institutional Review Board (IRB): The EKU body charged with ensuring the University's compliance with federal regulations governing the protection of human research participants

Interaction: Communication or interpersonal contact between investigator and subject

Intervention: Includes both physical procedures by which information or biospecimens are gathered (i.e., venipuncture) and manipulations of the subject or the subject's environment that are performed for research purposes

IRB approval: The determination of the IRB that the research has been reviewed and may be conducted at an institution within the constraints set forth by the IRB and by other institutional and Federal requirements

Justice: Requires that subjects be selected fairly and that both the risks and benefits of research are distributed evenly

Legally authorized representative: An individual or judicial or other body authorized under applicable law to consent on behalf of a prospective subject to the subject's participation in the procedure(s) involved in the research. If there is no applicable law addressing this issue, legally authorized representative means an individual recognized by institutional policy as acceptable for providing consent in the non-research context on behalf of the prospective subject to the subject's participation in the procedure(s) involved in the research.

Minimal risk: Requires that the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.

Prisoner: Any individual involuntarily confined or detained in a penal institution. The term is intended to encompass individuals sentenced to such an institution under a criminal or civil statute, individuals detained in other facilities by virtue of statutes or commitment procedures which provide alternatives to criminal prosecution or incarceration in a penal institution, and individuals detained pending arraignment, trial, or sentencing.

Private Information: Includes private information provided by a human subject as well as information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public

Public health authority: An agency or authority of the United States, a state, a territory, a political subdivision of a state or territory, an Indian tribe, or a foreign government, or a person or entity acting under a grant of authority from or contract with such public agency, including the employees or agents of such public agency or its contractors or persons or entities to whom it has granted authority, that is responsible for public health matters as part of its official mandate

Quorum: A simple majority of the voting members of the IRB

Respect of Persons: Recognition of the personal dignity and autonomy of individuals with special protection of those persons with diminished autonomy. In addition, respect requires honoring the privacy of individuals and maintaining confidentiality.

Risk: The possibility of harm or injury

Systematic investigation: An activity that involves a prospective plan incorporating data collection (quantitative or qualitative) and data analysis to answer a question

Written, or in writing: Writing on a tangible medium (i.e., paper) or in an electronic format

Establishing a Context for Regulations

History of Human Subjects Research Misconduct

Reviewing the history of documented research misconduct cases is helpful in putting the regulations into a broader context and understanding the mission of the IRB. Several documented cases of research misconduct led to the regulations that are enforced today. Four of these cases are described below.

Medical War Crimes
Many of the war crimes committed during World War II were done in the name of medical research and are a significant part of the reason we have Federal regulations governing human subjects research today. During World War II, an astounding number of concentration camp prisoners were forced to participate in dangerous and deadly medical experimentation. Activities included inhumane genetic research on twin children; transplant procedures; head injury, hypothermia, and high altitude experiments; and experiments with various diseases and poisons. The United States Holocaust Memorial Museum website includes indictment text with horrific details on these experiments. As a direct result of these activities, a war crimes trial after World War II resulted in the creation of the Nuremberg Code in 1947, the ethical code that became the basis for guiding future human experimentation internationally.

Jewish Chronic Disease Hospital Study
In the early 1960s, a study at the Jewish Chronic Disease Hospital, a facility that served an elderly population and patients requiring long-term physical care, involved injecting patients with live cancerous cells. The goal of the study was to determine whether the immune systems of debilitated individuals reacted differently to the introduction of cancerous cells than the immune systems of healthy individuals. Geriatric patients in the study were injected with cancerous cells. While they had orally consented to receiving injections of human cells, the patients were not told they would be injected with live cancerous cells because the researchers claimed this would have unnecessarily frightened them. There was also no documentation of the consent process. The researchers defended their actions, claiming that they had reason to believe that the cancerous cells would be rejected by the patients' bodies. This case is a good example of why additional precautions and protections are needed for vulnerable populations.

Willowbrook Study
From 1963 through 1966, a study on hepatitis took place at the Willowbrook home for "mentally defective" children that involved deliberately infecting children with the disease. The researchers defended this approach by claiming that the majority of the children would have contracted the disease anyway because of the unsanitary living conditions. The study included only those children whose parents had given consent, but the consent was not without coercion in many cases. The hepatitis program used a separate space at the institution and was able to continue to admit new patients after Willowbrook closed to new patients because of overcrowded conditions. Parents then found that providing consent for their children to participate in the study was the only way to get them admitted as patients. This case is a good example of why informed consent without coercion is a critical part of protecting human subjects.

Tuskegee Syphilis Study
One of the earliest documented cases of research misconduct began in the early 1930s when researchers used rural, disadvantaged black males as subjects in a study on the natural progression of syphilis. The men were told they would receive free medical treatment, when in reality, researchers were doing procedures such as spinal taps simply to collect research data. The most disturbing part of this study was that, when penicillin was discovered as a cure for syphilis in the 1940s, this information was not shared with the subjects, and the researchers continued to study the natural progression of the disease until 1972 when the study was made public. Public outrage resulted in the appointment of an ad hoc committee that led to a recommendation for Congress to establish a permanent body to regulate human subjects research. The National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research was established in 1974 and published multiple guidance documents and recommendations, including the Belmont Report.

The Belmont Report

In 1979, the Belmont Report was published by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research. The report summarizes ethical principles and guidelines for research involving human subjects and identifies the three core principles described below.

> **Beneficence** requires that researchers maximize the potential benefits to participants, or to society, while minimizing the potential risks of harm. If there are any greater than minimal risks of participation in the research, then there must be benefits, either to the participants directly or to society in general.
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> **Justice** requires that subjects be selected fairly and that both the risks and benefits of research be distributed evenly. Investigators should take precautions not to select participants simply because of convenient availability, manipulability, or compromised positions or because of social, racial, gender, economic, or cultural biases institutionalized in society.
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> **Respect of Persons** requires that researchers recognize the personal dignity and autonomy of individuals with special protection of those persons with diminished autonomy. Respect also requires honoring the privacy of individuals and maintaining confidentiality. Subjects must be free to decide whether to participate in research, and confidentiality must be protected.

The Common Rule

In 1981, the U.S. Department of Health and Human Services (HHS) published Federal policies that closely aligned to the principles outlined in the Belmont Report. In 1991, these regulations were adopted by agencies throughout the Federal government and became known as "The Common Rule." The Federal Office of Human Research Protections (OHRP) was created in 2000 to lead HHS efforts to protect human subjects in biomedical and behavioral research and to provide leadership for all federal agencies that conduct or support human subjects research under the Federal policy.

Beginning in 2011, Federal agencies, led by HHS, began to consider revisions to the regulations and sought input from experts and the public to ensure the final rules provided the best protections possible for human research subjects. Recommendations were formalized into revised regulations that took effect on January 21, 2019. The revisions were intended to provide improved protections for human research subjects while also reducing administrative burdens for both investigators and IRBs.

Federalwide Assurance

Because the University receives Federal funding to support research, we are required to maintain a Federalwide Assurance (FWA) with the Office of Human Research Protections (OHRP). This assurance is accepted by agencies throughout the Federal government and is the University's assurance that it will maintain and follow policies and procedures to ensure compliance with the Federal regulations governing human subjects research. The FWA requires the review of all human subjects research by a registered Institutional Review Board for the protection of human subjects.

Types of Review

Exemption (Limited Review)

Research activities may be classified as exempt when the only involvement of human subjects falls within one or more of the Federally-defined categories, the study represents not greater than minimal risk to its participants, and the IRB conducts a limited review to determine that adequate protections are in place for the subjects. If any activities do not fit in the categories below, the project is not eligible for exemption, and the investigator is required to instead apply for expedited or full review (§46.104).

Category 1: Research conducted in established or commonly accepted educational settings that specifically involves normal educational practices that are not likely to adversely impact students' opportunity to learn required educational content or the assessment of educators who provide instruction. This includes most research on regular and special education instructional strategies, and research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.

Category 2: Research that only includes interactions involving educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior (including visual or auditory recording) if at least one of the following criteria is met:

(i) The information obtained is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained, directly or through identifiers linked to the subjects;

(ii) Any disclosure of the human subjects' responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, educational advancement, or reputation; or

(iii) The information obtained is recorded by the investigator in such a manner that the identity of the human subjects can readily be ascertained, directly or through identifiers linked to the subjects, and an IRB conducts a limited IRB review to make the determination that there are adequate safeguards to protect the privacy and confidentiality of the subjects.

IMPORTANT: Subpart D: Additional Protections for Children Involved as Subjects in Research restricts Exemption 2 in the following ways:

- For research involving children, exemption 2 (i) and 2 (ii) above may be applied only to research involving educational tests or the observation of public behavior when the investigator(s) do not participate in the activities being observed.
- Exemption 2 may not be applied to survey procedures or interview procedures involving children as subjects.
- Exemption 2 (iii) above may not be applied to research involving children.

Category 3: Research involving benign behavioral interventions* in conjunction with the collection of information from an **adult** subject through verbal or written responses (including data entry) or audiovisual recording if the subject prospectively agrees to the intervention and information collection and at least one of the following criteria is met:

(i) The information obtained is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained, directly or through identifiers linked to the subjects;

(ii) Any disclosure of the human subjects' responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, educational advancement, or reputation; or

(iii) The information obtained is recorded by the investigator in such a manner that the identity of the human subjects can readily be ascertained, directly or through identifiers linked to the subjects, and an IRB conducts a limited IRB review to make the determination that there are adequate safeguards to protect the privacy and confidentiality of the subjects.

*For the purpose of this provision, benign behavioral interventions are brief in duration, harmless, painless, not physically invasive, not likely to have a significant adverse lasting impact on the subjects, and the investigator has no reason to think the subjects will find the interventions offensive or embarrassing. Provided all such criteria are met, examples of such benign behavioral interventions would include having the subjects play an online game, having them solve puzzles under various noise conditions, or having them decide how to allocate a nominal amount of received cash between themselves and someone else.

IMPORTANT: Note that this exemption applies only to adult subjects and cannot be applied to research involving children. If the research involves deceiving the subjects regarding the nature or purposes of the research, this exemption is not applicable unless the subject authorizes the deception through a prospective agreement to participate in research in circumstances in which the subject is informed that he or she will be unaware of or misled regarding the nature or purposes of the research.

Category 4: Secondary research for which consent is not required: Secondary research uses of identifiable private information or identifiable biospecimens, if at least one of the following criteria is met:

(i) The identifiable private information or identifiable biospecimens are publicly available;

(ii) Information, which may include information about biospecimens, is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained directly or through identifiers linked to the subjects, the investigator does not contact the subjects, and the investigator will not re-identify subjects;

(iii) The research involves only information collection and analysis involving the investigator's use of identifiable health information when that use is regulated under 45 CFR parts 160 and 164, subparts A and E, for the purposes of "health care operations" or "research" as those terms are defined at 45 CFR 164.501 or for "public health activities and purposes" as described under 45 CFR 164.512(b); or

(iv) The research is conducted by, or on behalf of, a Federal department or agency using government-generated or government-collected information obtained for non-research activities, if the research generates identifiable private information that is or will be maintained on information technology that is subject to and in compliance with section 208(b) of the E-Government Act of 2002, 44 U.S.C. 3501 note, if all of the identifiable private information collected, used, or generated as part of the activity will be maintained in systems of records subject to the Privacy Act of 1974, 5 U.S.C. 552a, and, if applicable, the information used in the research was collected subject to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 et seq.

Category 5: Research and demonstration projects that are conducted or supported by a Federal department or agency, or otherwise subject to the approval of department or agency heads (or the approval of the heads of bureaus or other subordinate agencies that have been delegated authority to conduct the research and demonstration projects), and that are designed to study, evaluate, improve, or otherwise examine public benefit or service programs, including procedures for obtaining benefits or services under those programs, possible changes in or alternatives to those programs or procedures, or possible changes in methods or levels of payment for benefits or services under those programs. Such projects include, but are not limited to, internal studies by Federal employees, and studies under contracts or consulting arrangements, cooperative agreements, or grants. Exempt projects also include waivers of otherwise mandatory requirements using authorities such as sections 1115 and 1115A of the Social Security Act, as amended. Each Federal department or agency conducting or supporting the research and demonstration projects must establish, on a publicly accessible Federal Web site or in such other manner as the department or agency head may determine, a list of the research and demonstration projects that the Federal department or agency conducts or supports under this provision. The research or demonstration project must be published on this list prior to commencing the research involving human subjects.

Category 6: Taste and food quality evaluation and consumer acceptance studies:

(i) If wholesome foods without additives are consumed, or

(ii) If a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture.

Federal regulations permit the use of two additional categories of exemption that apply only to research covered under a broad consent process. Adopting the use of broad consent procedures requires an infrastructure for the secure storage of biospecimens that is not currently present University-wide. In addition, the tracking requirements are burdensome for both the investigator and the IRB. Because of this, EKU does not utilize the broad consent option at this time, and therefore, Exemptions 7 and 8 are not included in the list of exemption categories for the limited review application. There are several other options for research using biospecimens, and no negative impact is expected from not using a broad consent process.

Expedited Review

Research activities may be reviewed through expedited review procedures when the only involvement of human subjects falls within one or more of the Federally-defined categories (OHRP, 1998) and the study represents not greater than minimal risk to its participants. The Federal categories of expedited review are reviewed at least every eight years and are updated as needed. If the study represents greater than minimal risk or if any activities fall outside the categories below, the project is not eligible for expedited review, and the investigator is required to instead apply for full review.

Category 1: Clinical studies of drugs and medical devices only when condition (a) or (b) below is met.

(a) Research on drugs for which an investigational new drug application is not required. (Note: Research on marketed drugs that significantly increases the risks or decreases the acceptability of the risks associated with the use of the product is not eligible for expedited review.)
(b) Research on medical devices for which (i) an investigational device exemption application is not required; or (ii) the medical device is cleared/approved for marketing and the medical device is being used in accordance with its cleared/approved labeling.

Category 2: Collection of blood samples by finger stick, heel stick, ear stick, or venipuncture as follows:
(a) from healthy, nonpregnant adults who weigh at least 110 pounds. For these subjects, the amounts drawn may not exceed 550 ml in an 8 week period and collection may not occur more frequently than 2 times per week; or
(b) from other adults and children [2], considering the age, weight, and health of the subjects, the collection procedure, the amount of blood to be collected, and the frequency with which it will be collected. For these subjects, the amount drawn may not exceed the lesser of 50 ml or 3 ml per kg in an 8 week period and collection may not occur more frequently than 2 times per week.

Category 3: Prospective collection of biological specimens for research purposes by noninvasive means. Examples: (a) hair and nail clippings in a nondisfiguring manner; (b) deciduous teeth at time of exfoliation or if routine patient care indicates a need for extraction; (c) permanent teeth if routine patient care indicates a need for extraction; (d) excreta and external secretions (including sweat); (e) uncannulated saliva collected either in an unstimulated fashion or stimulated by chewing gumbase or wax or by applying a dilute citric solution to the tongue; (f) placenta removed at delivery; (g) amniotic fluid obtained at the time of rupture of the membrane prior to or during labor; (h) supra- and subgingival dental plaque and calculus, provided the collection procedure is not more invasive than routine prophylactic scaling of the teeth and the process is accomplished in accordance with accepted prophylactic techniques; (i) mucosal and skin cells collected by buccal scraping or swab, skin swab, or mouth washings; (j) sputum collected after saline mist nebulization.

Category 4: Collection of data through noninvasive procedures (not involving general anesthesia or sedation) routinely employed in clinical practice, excluding procedures involving x-rays or microwaves. Where medical devices are employed, they must be cleared/approved for marketing. (Studies intended to evaluate the safety and effectiveness of the medical device are not generally eligible for expedited review, including studies of cleared medical devices for new indications.) Examples: (a) physical sensors that are applied either to the surface of the body or at a distance and do not involve input of significant amounts of energy into the subject or an invasion of the subject's privacy; (b) weighing or testing sensory acuity; (c) magnetic resonance imaging; (d) electrocardiography, electroencephalography, thermography, detection of naturally occurring radioactivity, electroretinography, ultrasound, diagnostic infrared imaging, doppler blood flow, and echocardiography; (e) moderate exercise, muscular strength testing, body composition assessment, and flexibility testing where appropriate given the age, weight, and health of the individual.

Category 5: Research involving materials (data, documents, records, or specimens) that have been collected, or will be collected solely for nonresearch purposes (such as medical treatment or diagnosis).

Category 6: Collection of data from voice, video, digital, or image recordings made for research purposes.

Category 7: Research on individual or group characteristics or behavior (including, but not limited to, research on perception, cognition, motivation, identity, language, communication, cultural beliefs or practices, and social behavior) or research employing survey, interview, oral history, focus group, program evaluation, human factors evaluation, or quality assurance methodologies.

Full Review

When a study presents greater than minimal risk to its subjects, includes any activities that fall outside the Federally-defined categories for exemption and expedited review, or involves prisoners as subjects, full review is required. Full reviews must be conducted by the full IRB committee at a convened meeting with a quorum of voting members and at least one non-scientist voting member present. In addition, if the study involves prisoners, a prisoner or a prisoner representative with appropriate background and experience to serve in that capacity must also be present and have voting rights for the review of the study.

IRB Authorization Agreements

Federal regulations require the use of a single IRB for cooperative research involving multiple institutions (§46.115). Since institutions use different templates for applications and consent documents, this requirement eliminates the possibility of two different set of procedures or two different consent forms being approved for a single study. It also reduces the administrative burden for both IRBs as well as the investigators. When two institutions are involved in a study, one will be responsible for the IRB review and approval process. This IRB will normally be selected based on the institution of the lead investigator or the clinical location in which the study will take place. If both institutions agree, an IRB Authorization Agreement will be executed between the two institutions. The University may only rely on the approval of IRBs with an active Federalwide Assurance (FWA).

In addition to cooperative research involving multiple investigators at different institutions, this approach is also relevant when a single investigator has affiliations with two separate institutions. This occurs most frequently with students in health fields who are also professionals at hospitals with IRBs. If the study will be conducted at the hospital site, the hospital will normally be responsible for the IRB review.

Requests for IRB Authorization Agreements must be submitted online by the EKU investigator. Required attachments include the full application materials approved by the reviewing IRB and a copy of the IRB approval documentation.

Criteria for IRB Approval

In order to approve a non-exempt study involving human subjects, Federal regulations require that the IRB be able to determine that all of the following requirements are satisfied (§46.111).

1. Risks to subjects are minimized: (i) By using procedures that are consistent with sound research design and that do not unnecessarily expose subjects to risk, and (ii) Whenever appropriate, by using procedures already being performed on the subjects for diagnostic or treatment purposes.
2. Risks to subjects are reasonable in relation to anticipated benefits, if any, to subjects, and the importance of the knowledge that may reasonably be expected to result. In evaluating risks and benefits, the IRB should consider only those risks and benefits that may result from the research (as distinguished from risks and benefits of therapies subjects would receive even if not participating in the research). The IRB should not consider possible long-range effects of applying knowledge gained in the research (i.e., the possible effects of the research on public policy) as among those research risks that fall within the purview of its responsibility.
3. Selection of subjects is equitable. In making this assessment the IRB should take into account the purposes of the research and the setting in which the research will be conducted. The IRB should be particularly cognizant of the special problems of research that involves a category of subjects who are vulnerable to coercion or undue influence, such as children, prisoners, individuals with impaired decision-making capacity, or economically or educationally disadvantaged persons.
4. Informed consent will be sought from each prospective subject or the subject's legally authorized representative, in accordance with, and to the extent required by Federal regulations.
5. Informed consent will be appropriately documented or appropriately waived in accordance with Federal regulations.
6. When appropriate, the research plan makes adequate provision for monitoring the data collected to ensure the safety of subjects.
7. When appropriate, there are adequate provisions to protect the privacy of subjects and to maintain the confidentiality of data.

When some or all of the subjects are likely to be vulnerable to coercion or undue influence, such as children, prisoners, individuals with impaired decision-making capacity, or economically or educationally disadvantaged persons, additional safeguards are needed to protect the rights and welfare of these subjects (§46.111).

Assessing Risks

Types of Risks

The risk represented by a study must be evaluated by considering the probability of harm or injury (physical, psychological, social, or economic) occurring as a result of participation in the study. Research-related risks of the types described below should be considered in evaluating the risks represented by a specific study.

Risk of Physical Harm: A study may involve pain, discomfort, or risks of injury from minor procedures such as venipuncture or from participants engaging in physical activity. A study may also involve risks of harm from possible side effects of drugs, devices, or procedures.

Risk of Psychological Harm: A study may cause undesirable changes in the emotions and/or thought processes of subjects, including episodes of depression, confusion, stress, guilt, or a change in confidence and self-esteem levels. These risks are usually minimal or transitory, but some studies have the potential to cause serious psychological harm. Stress may also be induced when a researcher manipulates the subjects' environment to observe behavior or attitudes. The possibility of psychological harm is usually greater when behavioral research involves deception.

Risk of Social and Economic Harm: Social and economic harms are typically in the form of embarrassment within a subject's business or social group, loss of employment, or criminal prosecution and generally result from violations of privacy and/or breaches of confidentiality. Social and economic concerns are greatest when information is collected about topics such as alcohol and drug use, mental illnesses, illegal activities, or sexual behavior or when results may draw conclusions that could be stigmatizing to subjects (i.e., that a subject may be prone to developing a specific health condition). Confidentiality safeguards must be especially strong when a study involves these types of data. In rare cases, there could be economic consequences of a subject's participation in a study; when there are anticipated costs involved for the subjects, it is critical that such costs are described in detail and documented during the consent process.

Risk Categories

The University allows human subjects research in the following three Federally-defined risk categories (§46.404, §46.405, §46.406):

- Research not involving greater than minimal risk – Minimal risk is present when "the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests."
- Research involving greater than minimal risk but presenting the prospect of direct benefit to the individual subjects
- Research involving greater than minimal risk and no prospect of direct benefit to individual subjects, but likely to yield generalizable knowledge about the subject's disorder or condition

In recent years at EKU, less than 1% of studies reviewed annually have been categorized as representing greater than minimal risk. These studies always require full review, additional precautions to protect subjects, and regular continuing review.

Informed Consent Requirements

One of the most important elements of ethical research is informed consent. There are two important components of this concept:

Informed means that the participant must be provided with all the information the investigator has about the study, including risks, benefits, and activities involved.

Consent means that the participant must be free to voluntarily agree to participate without coercion.

Federal regulations outline specific criteria that must be addressed in informed consent forms. The Informed Consent Template is intended to outline these requirements and provide standardized template language to ensure that all requirements are addressed.

Informed Consent for Non-Exempt Studies

Unless a waiver is approved in accordance with Federal criteria, an informed consent form must be used in all non-exempt studies, and subject consent must be documented with a signature (§46.117). The Informed Consent Form should be written in plain, easy-to-follow language that is appropriate for the subject population. Technical jargon and overly complex terms that may be difficult for someone outside the researcher's field of expertise to understand should be avoided. Generally, the text should be readable at an eighth grade level or below. The Federal government's Plain Language website is a useful resource for information and guidance on using plain language.

Required Elements of Informed Consent
Federal regulations provide a list of specific criteria that must be addressed in all consent forms (§46.116). This list is provided below and is separated into a section of items that are always required and a section of items that are required when appropriate.

Basic elements of informed consent

(1) A statement that the study involves research, an explanation of the purposes of the research and the expected duration of the subject's participation, a description of the procedures to be followed, and identification of any procedures that are experimental;
(2) A description of any reasonably foreseeable risks or discomforts to the subject;
(3) A description of any benefits to the subject or to others that may reasonably be expected from the research;
(4) A disclosure of appropriate alternative procedures or courses of treatment, if any, that might be advantageous to the subject;
(5) A statement describing the extent, if any, to which confidentiality of records identifying the subject will be maintained;
(6) For research involving more than minimal risk, an explanation as to whether any compensation and an explanation as to whether any medical treatments are available if injury occurs and, if so, what they consist of, or where further information may be obtained;
(7) An explanation of whom to contact for answers to pertinent questions about the research and research subjects' rights, and whom to contact in the event of a research-related injury to the subject;
(8) A statement that participation is voluntary, refusal to participate will involve no penalty or loss of benefits to which the subject is otherwise entitled, and the subject may discontinue participation at any time without penalty or loss of benefits to which the subject is otherwise entitled; and
(9) One of the following statements about any research that involves the collection of identifiable private information or identifiable biospecimens:
   (i) A statement that identifiers might be removed from the identifiable private information or identifiable biospecimens and that, after such removal, the information or biospecimens could be used for future research studies or distributed to another investigator for future research studies without additional informed consent from the subject or the legally authorized representative, if this might be a possibility; or
   (ii) A statement that the subject's information or biospecimens collected as part of the research, even if identifiers are removed, will not be used or distributed for future research studies.

Additional elements of informed consent, required when appropriate

(1) A statement that the particular treatment or procedure may involve risks to the subject (or to the embryo or fetus, if the subject is or may become pregnant) that are currently unforeseeable;
(2) Anticipated circumstances under which the subject's participation may be terminated by the investigator without regard to the subject's or the legally authorized representative's consent;
(3) Any additional costs to the subject that may result from participation in the research;
(4) The consequences of a subject's decision to withdraw from the research and procedures for orderly termination of participation by the subject;

(5) A statement that significant new findings developed during the course of the research that may relate to the subject's willingness to continue participation will be provided to the subject;
(6) The approximate number of subjects involved in the study;
(7) A statement that the subject's biospecimens (even if identifiers are removed) may be used for commercial profit and whether the subject will or will not share in this commercial profit;
(8) A statement regarding whether clinically relevant research results, including individual research results, will be disclosed to subjects, and if so, under what conditions; and
(9) For research involving biospecimens, whether the research will (if known) or might include whole genome sequencing (i.e., sequencing of a human germline or somatic specimen with the intent to generate the genome or exome sequence of that specimen).

Key Information
Federal regulations require that key information about the study be provided at the beginning of the consent form (§46.116). The intention of this requirement is to ensure that potential subjects have immediate access to the most important information about the study.

The following five items must be addressed in the Key Information section:
(1) The fact that consent is being sought for research and that participation is voluntary;
(2) The purposes of the research, the expected duration of the prospective subject's participation, and the procedures to be followed in the research;
(3) The reasonably foreseeable risks or discomforts to the prospective subject;
(4) The benefits to the prospective subject or to others that may reasonably be expected from the research; and
(5) Appropriate alternative procedures or courses of treatment, if any, that might be advantageous to the prospective subject

If the information provided in the Key Information section is sufficient to satisfy the informed consent requirements, it does not need to be repeated later in the consent form. The Informed Consent Template is organized in a way that will eliminate duplicative information and satisfy both the Key Information requirement and the required elements of informed consent.

Informed Consent for Non-Exempt Studies Involving Children

By definition, children are individuals who have not attained the legal age to consent to treatment or procedures involved in a research project under the applicable law of the jurisdiction in which the research will be conducted. In Kentucky, children are individuals who are under the age of eighteen years unless they have been legally emancipated. Because children can be a vulnerable population, additional precautions must be taken to ensure their protection as participants in research projects. Such precautions include provisions for soliciting the permission of parents or guardians and the assent of the children involved in non-exempt research (§46.408).

Permission means the agreement of a parent/guardian to a child's participation in the research.

Assent means a child's affirmative agreement to participate in research. Mere failure to object to participating may not be construed as assent.

Both permission and assent require that investigators provide adequate information about the project to allow for an informed decision to be made. Federal regulations outline specific criteria that must be addressed in informed consent forms, and this same information must be provided to the parents/guardians when research involves children. Permission from a parent/guardian is required before children are asked for their assent. This permission must be documented by a signed Parent/Guardian Permission Form.

Once parents/guardians have granted permission for their children to participate in a study, the children may be approached about the study. Regardless of age, children must be told about the research project and given an opportunity to decide if they want to participate. For children age 7 and older, assent generally must be documented using an assent form. Children who choose not to participate may not be included in the study even if their parents have given permission for them to participate. Investigators must ensure that only children who want to participate are

involved and that children who change their minds during their participation have the opportunity to stop at any time. A lack of objection to participation cannot be treated as permission, consent, or assent. Both the Parent/Guardian Permission Form and Child Assent Forms should be written in plain, easy-to-follow language that is appropriate for the subject population.

Parent/Guardian Permission

The Parent/Guardian Permission template is a modified version of an informed consent document and is written in the third person to indicate that the individual granting permission is not the individual whose participation is sought. In cases where the parent or guardian will be a participant in the same study, he or she should sign both an informed consent form for his or his own participation and a permission form for the child's participation.

Assent of Children under the age of 7

Because many children under the age of 7 cannot be relied upon to formally assent to participating in research, formal documentation of assent is not required for this age group. Investigators are required, however, to provide to the IRB information about how they will ensure children want to participate, are not upset during their participation, and understand that they have the right to stop their participation at any time. Children in this age group should be used only when they are the only available source of the data needed for a project. Investigators are required to submit to the IRB a description of the verbal assent process to be used, including how assent will be documented, and a script of information that will be verbally provided to the children. A template is provided to assist investigators in developing the script.

Assent of Children ages 7-12

Children ages 7-12 are generally capable of making a decision about whether they want to participate in a research project and should sign an assent document before their participation begins. The assent document should be no more than one page in length and, in simple terms, (1) explain what the research is about; (2) describe why the child is being asked to participate; (3) identify what the child will be asked to do; (4) let the child know that participation is entirely voluntary and that he or she may stop at any time; and (5) disclose any risks and potential benefits. A template is provided to assist investigators in developing this assent form.

For projects involving no greater than minimal risk, the IRB may elect to allow verbal assent to be used with children ages 7-12 when appropriate. Investigators requesting approval to use verbal consent with this age group are required to submit to the IRB a justification for the use of verbal consent; a description of the verbal assent process to be used, including how assent will be documented; and a script that will be provided verbally to the children.

Assent of Children over the age of 12

Children between the ages of 13 and 17 are generally capable of assenting to participate in a research project and should sign an assent document before their participation begins. The assent document must, in language understandable to the children, (1) explain what the research is about; (2) describe why the child is being asked to participate; (3) identify what the child will be asked to do; (4) let the child know that participation is entirely voluntary and that he or she may stop at any time; and (5) disclose any risks and potential benefits. A template is provided to assist investigators in developing this assent form.

Waiver of Documentation of Informed Consent

Informed consent is a foundational component of protecting human research subjects and is at the core of the IRB's ethical values. In general, all non-exempt studies involving human subjects must include a formal informed consent process that is documented with signatures from participants. In a limited number of situations, however, Federal regulations permit an IRB to authorize a waiver of informed consent documentation (§46.117). Those situations are described below:

- The only record linking the subject and the research would be the informed consent form and the principal risk would be potential harm resulting from a breach of confidentiality. In this case, each subject (or legally authorized representative) must be asked whether the subject wants documentation linking the subject with the research, and the subject's wishes will govern. The investigator must describe the procedures to be followed for offering this choice to each subject.

- The research presents no more than minimal risk of harm to subjects and involves no procedures for which written consent is normally required outside of the research context. The investigator must provide a justification describing how the proposed study meets this criteria.
- The subjects or legally authorized representatives are members of a distinct cultural group or community in which signing forms is not the norm, the research presents no more than minimal risk of harm to subjects, and an alternative mechanism will be used for documenting that informed consent was obtained. The investigator must identify and provide background on the cultural group, cite references for views on signing forms, and describe the alternative mechanism to be used for the documentation of informed consent.

When requesting a waiver, the investigator must explain how the waiver will not adversely affect the rights and welfare of the subjects and explain why the research could not practicably be carried out without the waiver. When a study is approved with a waiver of informed consent documentation, this means that signatures from subjects are not required on consent forms. However, such a waiver does not eliminate the ethical requirement to provide information to potential subjects and allow them to make an informed decision about voluntarily participating. Investigators are still required to follow a process of obtaining consent and to outline this process in the application for IRB review. If approved, the waiver will be specifically authorized in the approval notification.

Informed Consent for Exempt Studies

Studies that are eligible for exemption are not required to use the standard Informed Consent Template or address the Federal list of required elements of consent. However, research with human subjects, regardless of the review level, requires that researchers provide information about the study and allow potential participants to make an informed decision about whether they want to voluntarily participate. When a study is approved for exemption, the greatest risk to participants is often a breach of confidentiality. To reduce this risk, having participants sign a formal consent form for studies that would otherwise be anonymous is not advised. Instead, participants can remain anonymous through the use of cover text provided as an introductory screen to an online survey or activity or a cover page or introduction in a printed survey or activity. A template for consent cover text is provided for use only with studies that are eligible for exemption.

Anonymous Versus Confidential

Anonymous data collection means that no one will know who the subjects are or what information they provided. In an anonymous study, not even the researcher will know who provided information for the study. True anonymity is normally possible only when there is no direct contact with individual subjects during either the recruitment or data collection processes. Anonymity is possible for subjects who complete an online survey that does not collect identifying information. It is not possible for subjects who complete an online survey asking questions that may allow the researchers or others to determine who provided the information. It is also not possible for subjects who participate in face-to-face interactions with other subjects or with the researchers. Anonymity is not possible for subjects who sign consent forms.

Confidential means that the investigator will use measures to safeguard the subjects' data from unauthorized access and will not intentionally share private information collected through the study. Protecting research data from inappropriate disclosure does not make the study anonymous.

Instead of using the word anonymous, documents for studies that collect identifiable information or include direct contact with individual subjects need to describe the ways in which the investigators will safeguard subjects' information and maintain the confidentiality of the data.

Privacy and Confidentiality Concerns

In studies that do not represent specific risks of physical or psychological harms, the greatest risks are typically related to a loss of privacy or a breach of confidentiality. The majority of studies at EKU are minimal risk studies in which these are the most notable risks.

In general, a loss of privacy occurs during observations of activities that would normally be considered private or through access to private information about a subject. When a study involves deception with observations of behavior, the IRB must use additional caution in determining whether the deception will violate privacy in a way that might be unacceptable to subjects.

A breach of confidentiality is often the greatest risk to participants when subjects directly provide data for a study. Absolute confidentiality can never be guaranteed, so there is always a risk of a confidentiality breach when identifiable private information is collected for research purposes. The confidentiality of data requires the safeguarding of information that has been provided by subjects, and a breach can result in social and economic harms.

One of the most protective ways to minimize risks to participants is to collect identifiable information only when necessary. Most surveys and questionnaires can be completed without participant names or other identifying information included so that studies are completely anonymous or so that identifiable information is limited to the consent form. For longitudinal studies requiring a pre- and post-test assessment, the investigator can use procedures that eliminate the need to create a key that links the collected data to specific individuals.

For example, an investigator might instruct participants to add a code to data collection instruments to allow a pre- and post-test comparison while avoiding the inclusion of a name or other identifiable information. The code should include items that cannot be readily connected to a participant and should be unchanging facts rather than preferences. For example, asking subjects to use their favorite color or favorite food may result in a different code used in the post-assessment. Sample instructions are provided below.

> Please do not include your name on this document. Instead, please generate a six-digit ID comprised of the first two letters of your middle name (use XX if you do not have a middle name), the two-digit day of the month on which you were born, and the first two letters of the city in which you were born.
>
> Example:
> Name: John William Doe
> DOB: 05/07/2000
> City of Birth: Richmond, KY
> Subject-Generated Code: WI07RI
>
> This approach will allow us to connect your pre- and post-assessment results for comparison purposes without collecting personally-identifiable information from you. You will be asked to follow these same instructions when you complete a post-assessment at the end of the study.

When the collection of identifiable information cannot be avoided, the IRB must consider whether the investigator has outlined appropriate safeguards to protect the identifiable data. This may include storing consent forms in a separate locked location from data with a code assigned to each participant's data and a key stored separately from both the consent forms and data. It may also include locked storage for data collected with identifiable information included and the use of password-protected computers and password-protected files for storing digital files. The level of protection required for a specific study will depend on the type of information being stored and whether the data will include identifiable information.

Avoiding Coercion and Undue Influence

Appropriate Use of Incentives

For human subjects research, overt coercion (i.e., threatening the loss of services or privileges for which an individual would otherwise be entitled) is not allowable under any circumstance. Offering incentives to participants can be appropriate, provided that payments are not substantial enough to constitute undue influence. In order for the IRB to make this determination, the research protocol must define the subject population, describe what incentives will be available, and outline the conditions under which the incentives will be offered.

The IRB is responsible for ensuring that incentives are not significant enough to diminish the voluntary nature of the subject's consent or impact a subject's judgement in considering the risks and benefits of participating in a study. Incentive payments cannot be used as a way to offset risks, and the level of payment offered cannot be high enough to cause a subject to accept risks that would not be accepted if no payment was offered. If the payment structure is such that the completion of the study is required in order for a subject to earn the full amount of the payment, the IRB must determine that the amount withheld until completion is not significant enough to induce subjects to remain in a study from which they would otherwise have withdrawn.

Special Considerations for Students as Research Subjects

The voluntary nature of research participation is one of the core components of ethical research. When research is conducted with students as subjects, the student-teacher relationship can complicate a voluntary decision about participation, particularly if a student's teacher is the one conducting research or asking him or her to consider participating. Students may volunteer to participate in a study based on a belief that doing so will positively impact their status with the teacher, resulting, for example, in better grades, a stronger recommendation, or improved employment opportunities. Students may also fear that failure to participate may negatively affect their relationship with the teacher.

When soliciting participation from students in research, additional care should be taken to eliminate the presence of coercion and reduce undue influence. Such precautions may include the following:

1. When students are given course credit or extra credit for participation in research, an alternative activity must be available to allow students to earn equivalent credit for investing a comparable amount of time and effort. Alternative activities must not be graded, allowing the students to receive full credit for participation in the same way students receive credit for participating in research.
2. When possible, teachers should not directly recruit their own students for research participation. To the extent practicable, when a teacher wishes to conduct research on his or her own students during the term when the students are in the researcher's class, arrangements should be made to add a colleague as study personnel for the purpose of recruitment of and data collection from students.
3. Generally, investigators should avoid data collection during regular class time. When research activities consume a significant amount of class time, loss of instructional time for both participants and non-participants can be considered a loss of benefits.

For non-exempt studies involving minors (including in both P-12 and university settings), parent permission and child assent requirements apply.

Use of Gift Cards as Human Subjects Payments

Incentives may sometimes be offered in the form of gift cards. Gift card payments to subjects can be complex because of IRS reporting requirements for the University. The guidance in this section was developed with the goal of allowing the University to comply with IRS reporting requirements while also protecting the confidentiality of research data.

For the types of research conducted at EKU, human subjects payments generally range from $5-$25, depending on the amount of time involved for the participants. In unusual circumstances requiring a significant time investment from subjects, payments of higher amounts may be appropriate. All payments, regardless of amount, must receive prior approval through the IRB review process and be outlined in the approved consent document used in the study.

Gift Acknowledgement Form

The Internal Revenue Service (IRS) considers a gift card to be a cash equivalent, which means that the tax treatment of a gift card payment is the same as it would be if a subject were paid by cash or check. The University is required to report gift cards as taxable income through either a W-2 (if the subjects are employees) or a 1099 form (if the subjects are not employees and earn $600 from any EKU source). In addition, a gift card issued to a student may be reportable on a 1098-T form as a financial aid award.

In order for the University to ensure that reporting requirements are satisfied, Accounting and Financial Services is required to collect certain documentation when payments are issued from the University. For payment issued through gift cards, a Gift Acknowledgement Form must be signed by each subject verifying receipt of the gift card. The form requires the subject's name and EKU ID number, the value and last four digits of the gift card, the subject's signature, and the date. It is not necessary to identify the purpose of the gift card on the acknowledgement form; recipients do not have to be specifically identified as research participants.

The completed and signed acknowledgement forms must be submitted to Accounts Payable with pay documents for the gift card purchases. Upon receipt, the forms will be separated from the pay documents, eliminating the connection between the participant and the study in the stored records. The signed forms are securely stored and used at year-end to prepare tax documentation. These records are not imaged for digital storage or otherwise made available more generally, and authorized employees with access to the records are bound by confidentiality requirements.

Informed Consent Criteria

When gift cards are offered as payment for human subject participation in a study, the informed consent form must outline the criteria under which the gift card will be offered. In addition, the consent form must inform participants that the payment is treated as taxable income under IRS regulations and that they will be required to sign a Gift Acknowledgement Form that will be shared at EKU as required for compliance purposes.

The following language is provided as additional text to be added to the two noted sections of the informed consent template when gift cards will be offered in a study:

> **Will I receive any payment or rewards for taking part in the study?**
> The gift card may be considered taxable income by the Internal Revenue Service (IRS) and may be reported on your tax Form W-2 or Form 1099-MISC. You may contact the accounts payable or payroll departments in EKU's office of Accounting and Financial Services at (859) 622-1810 if you have questions regarding reporting for tax purposes. If you are an EKU student, this gift may be treated as a financial aid award and may be reported on Form 1098-T. This gift may affect your eligibility for other forms of financial aid, and you may contact EKU's Financial Aid office at (859) 622-2361 with any concerns.
>
> **Who will see the information I give?**
> In order to receive a gift card for your participation, you will be required to sign a Gift Acknowledgement Form that will include your full name. This form will not specify that you are a participant in this study, but will be submitted to EKU's office of Accounting and Financial Services along with pay documentation for the gift cards purchased by the research team. The information you provide as part of the study will not be shared through this process.

If an exempt study will include gift cards as incentive payments, this text must be added to the consent statement as well.

Research in Non-English Languages

When research is conducted in languages other than English, the IRB must have additional assurance that the documents provided to subjects (i.e., recruitment materials, consent forms, data collection instruments, etc.) provide the required information. For this reason, certified translations of documents provided in non-English languages are required.

Because of the time and cost involved in translations, investigators are advised to prepare only English versions of documents for the initial submission to the IRB. The documents can be translated following the IRB's review so that any changes can be included in the final versions prior to translation. Once the English versions have been reviewed by the IRB, the investigator will be contacted and asked to provide certified translated documents in the non-English language(s) to be used in the study. Final IRB approval for the study will be withheld until certified translated documents have been submitted and approved.

Investigators may choose one of the following two options for meeting the translation certification requirement:

1. **Use of a certified translation service:** A professional translation service can provide certified copies of translated documents. While the IRB does not endorse any particular translation service, the following links are offered as resources for investigators choosing to use a translation service:
   Burg Translations
   Corporate Translations, Inc.
   Northwest Translations
2. **Use of two qualified individuals as translators:** This option is usually a more economical approach and requires that a qualified individual translate the documents from English to the study's language(s) and then a second qualified individual translate them back to English. Both translators must sign to certify their translations.

Costs involved with either option are the responsibility of the investigator.

The Role of the Faculty Research Advisor

When human subjects research is to be conducted by a student investigator, a faculty research advisor is required. The faculty advisor is responsible for guiding and mentoring the student in preparing the application for IRB review and in conducting the study following approval. The advisor is also responsible for maintaining research records during the records retention period. Student researchers are required to work closely with the advisor in the preparation of application materials and must maintain ongoing communication with the advisor during the study following approval. The student must also ensure that appropriate research records are transferred to the custody of the advisor for secure storage during the records retention period.

University Policy 4.4.12: Human Subjects in Research outlines the following responsibilities for faculty advisors:

1. Complete and maintain current (every three years) certification in human subjects research for investigators by completing an educational program acceptable to the IRB – All members of student thesis committees for projects involving human research subjects are encouraged to complete training as well).
2. Advise students throughout process of protocol development, submission, and review as well as in the implementation of the research project
3. Guide students in the development of the research protocol to ensure that the content, quality, and timing of the submission meet the requirements of the IRB
4. As the responsible investigator, ensure that student researchers are aware of their responsibilities as investigators and ensure that the IRB is immediately notified in the event of research-related unanticipated events or findings during the study that would affect the risks or benefits of participation
5. Ensure the timely submission of required continuing review and final reports for student projects
6. Maintain records related to student projects for a period of not less than three years from the date the final report is filed with the IRB

Training Requirements

All investigators, key personnel, and faculty advisors are required to complete human subjects research training at least once every three years and provide a copy of training documentation with each application submitted for IRB review. EKU provides a subscription to the Collaborative Institutional Training Initiative (CITI) online training system, and the Basic Course for Human Subjects Research is used to satisfy training requirements for IRB purposes. There are two acceptable tracks for the Basic Course: Social/Behavioral or Biomedical.

Detailed instructions for registering for training are provided in a separate CITI Training Guide. Prior to beginning a course, investigators are encouraged to confirm that the course is called **Biomedical Research - Basic/Refresher** or **Social & Behavioral Research - Basic/Refresher** and that the Stage is listed as **Basic.** The only exception to this is if an investigator completed the Basic Course three years ago and needs to complete the Refresher course, which will show as "Due Now" in the course menu. If the current training is a Refresher course, documentation of past completion of the Basic Course must also be attached.

The initial training typically takes 3-4 hours to complete, depending on each individual's familiarity with human subjects research regulations. Once an account is set up, individuals may complete the course modules in as many sessions as needed by simply logging in and resuming work on the course. Upon course completion, a certificate and report of completion will be available. Completion documentation must be attached to the application at the time of submission for the principal investigator and all other key personnel. If the Principal Investigator is a student, the faculty research advisor must also complete the training with completion documentation attached to the submission.

Training completion documentation can be accessed through the user's CITI account at any time, and the IRB administrator has access to training documentation for all users whose accounts are affiliated with EKU.

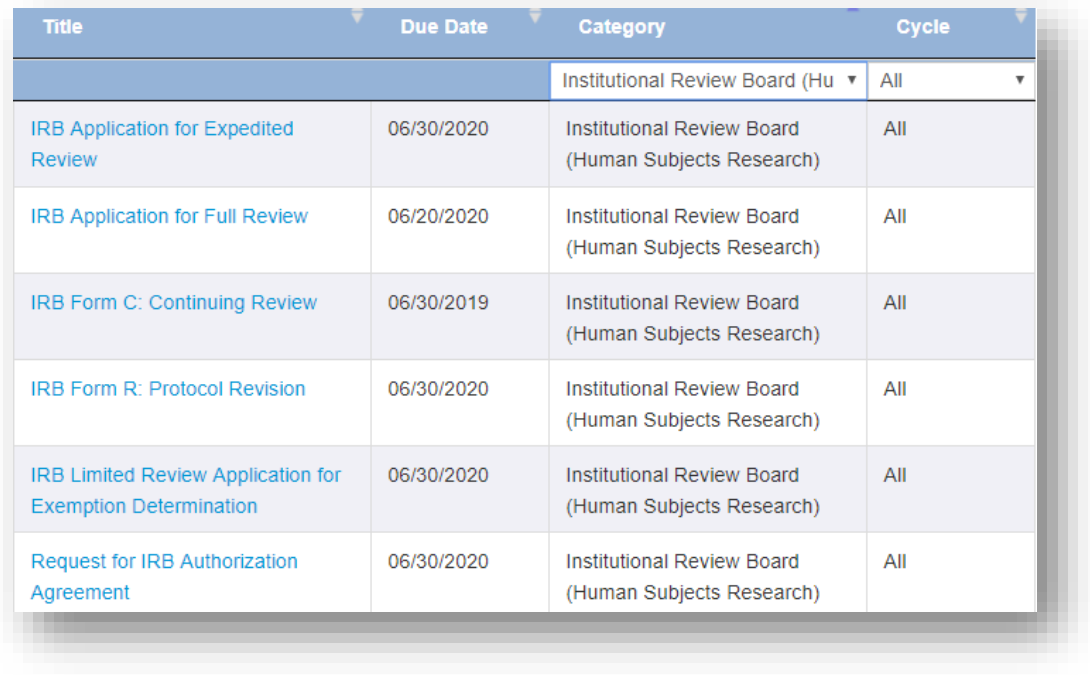
Preparing Application Materials

Once an investigator has classified the proposed study into one of the three levels of review, the next step is to prepare application materials. Application forms and templates are available online and can be downloaded as Microsoft Word files. It is especially important that student investigators work closely with their faculty advisors in preparing application materials for submission. The application for each level of review includes a submission checklist that lists required attachments. All submissions must include a completed application form and CITI training documentation for the principal investigator, all study personnel, and for student submissions, the faculty advisor(s). Required attachments for most studies will include recruitment materials, consent documents, and data collection instruments. All documents to be shared with participants must include the title of the study.

Submitting an Online Application for IRB Review

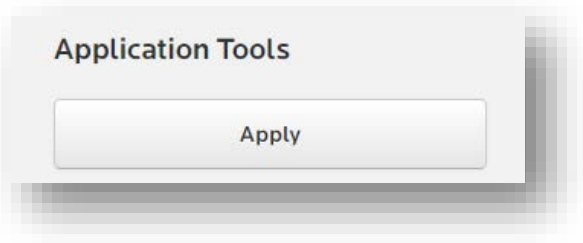
Submissions to the IRB are accepted online through the University's InfoReady Review system and must be submitted by the Principal Investigator listed in the application. Faculty advisors and other investigators may not initiate submissions to the IRB, but faculty advisors are required to review and approve submissions prior to being routed for IRB review.

After preparing application forms and required attachments, the investigator should access the system and select the appropriate type of submission. If needed, the list on the home page can be filtered by category to view only submission options for "Institutional Review Board (Human Subjects Research)."

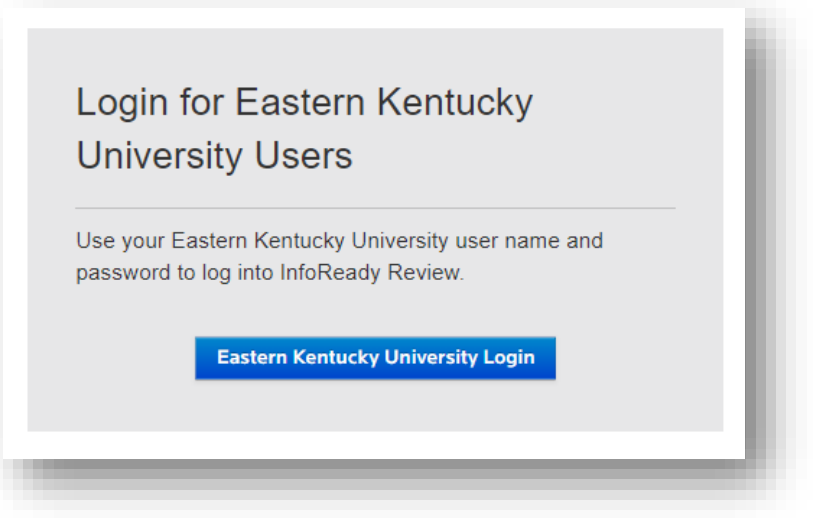


Title	Due Date	Category	Cycle
		Institutional Review Board (Hu ▾	All ▾
IRB Application for Expedited Review	06/30/2020	Institutional Review Board (Human Subjects Research)	All
IRB Application for Full Review	06/20/2020	Institutional Review Board (Human Subjects Research)	All
IRB Form C: Continuing Review	06/30/2019	Institutional Review Board (Human Subjects Research)	All
IRB Form R: Protocol Revision	06/30/2020	Institutional Review Board (Human Subjects Research)	All
IRB Limited Review Application for Exemption Determination	06/30/2020	Institutional Review Board (Human Subjects Research)	All
Request for IRB Authorization Agreement	06/30/2020	Institutional Review Board (Human Subjects Research)	All

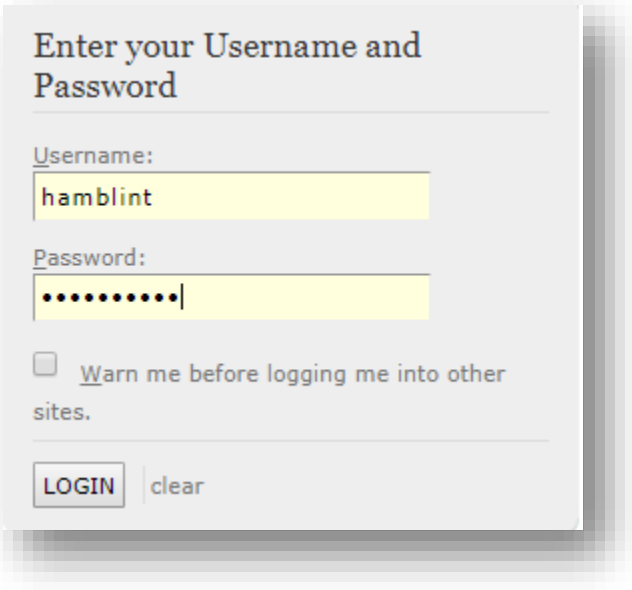
To begin a new submission, click on the title of the appropriate submission option (i.e., Limited Review Application for Exemption Determination) and then click the Apply button in the sidebar on the right.



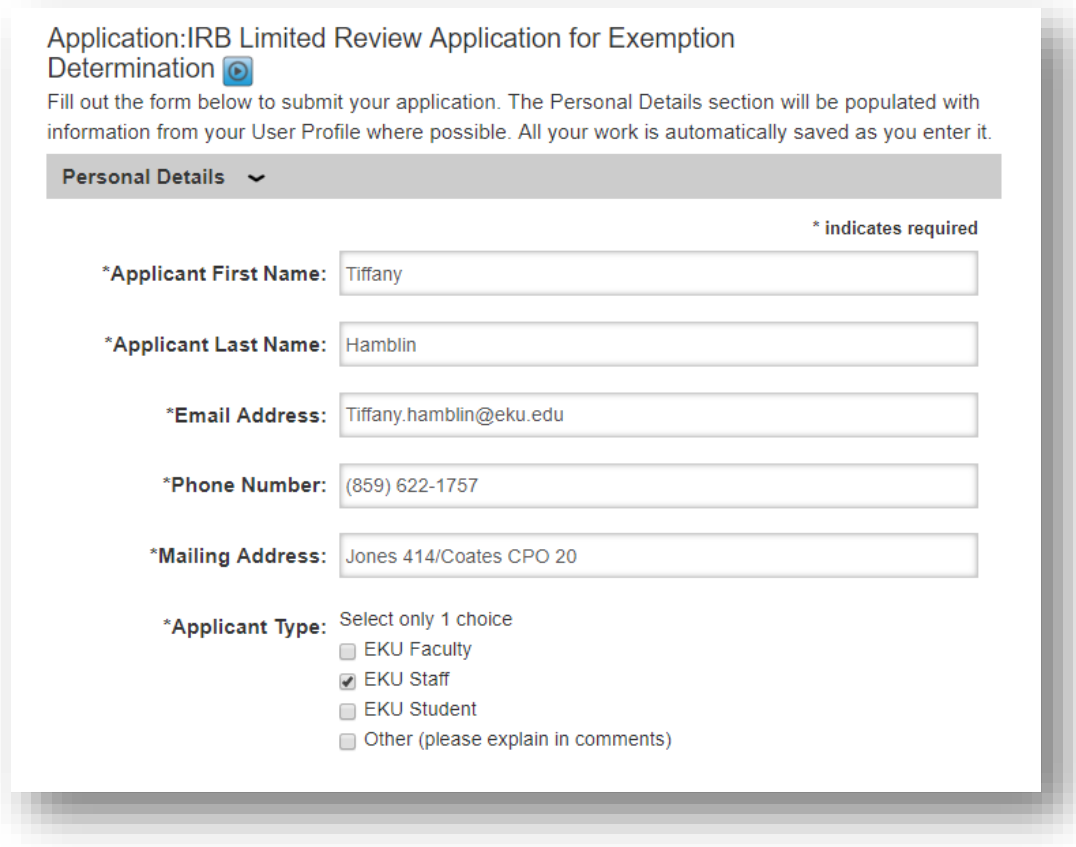
Current EKU employees and students must click the option to log in as an EKU user.



This option will redirect to the University's Central Authentication Service (CAS) login page. The user name and password are the same as used for logging in to EKU's network. The user name is not an email address.

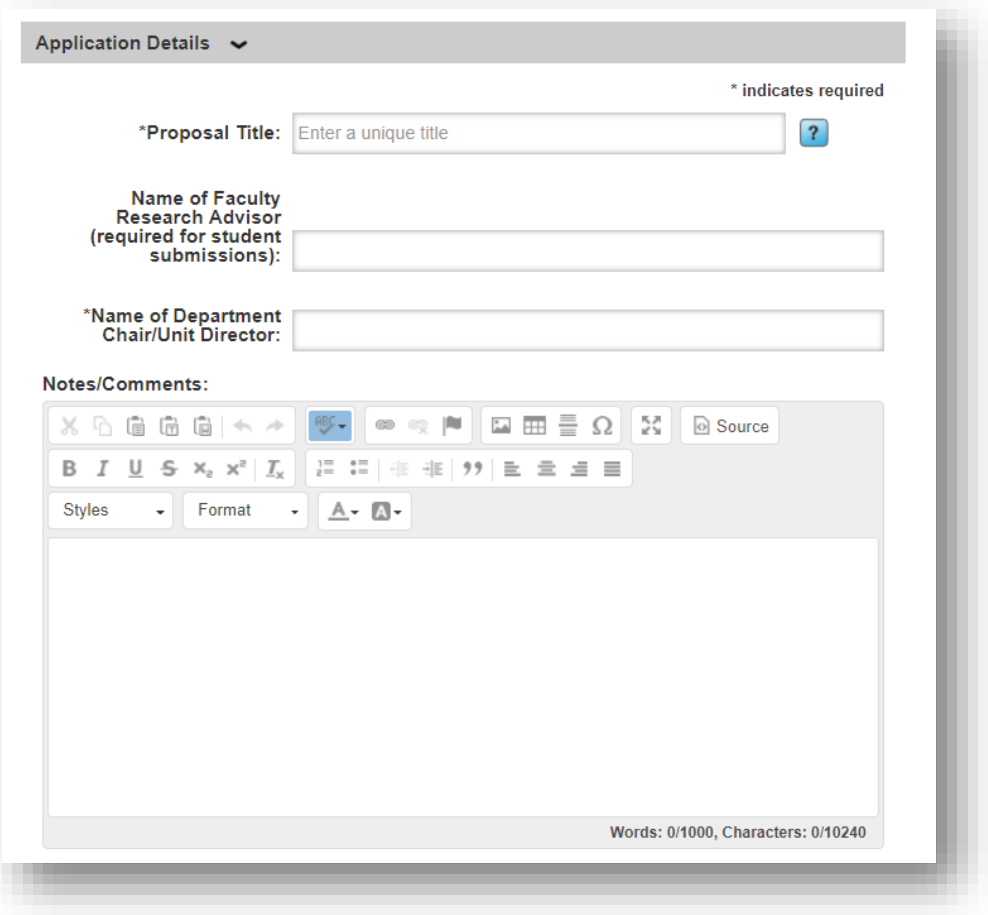


Following the log-in process, the application screen will be available to the user. The Personal Details section of the application requires basic contact information for the applicant.



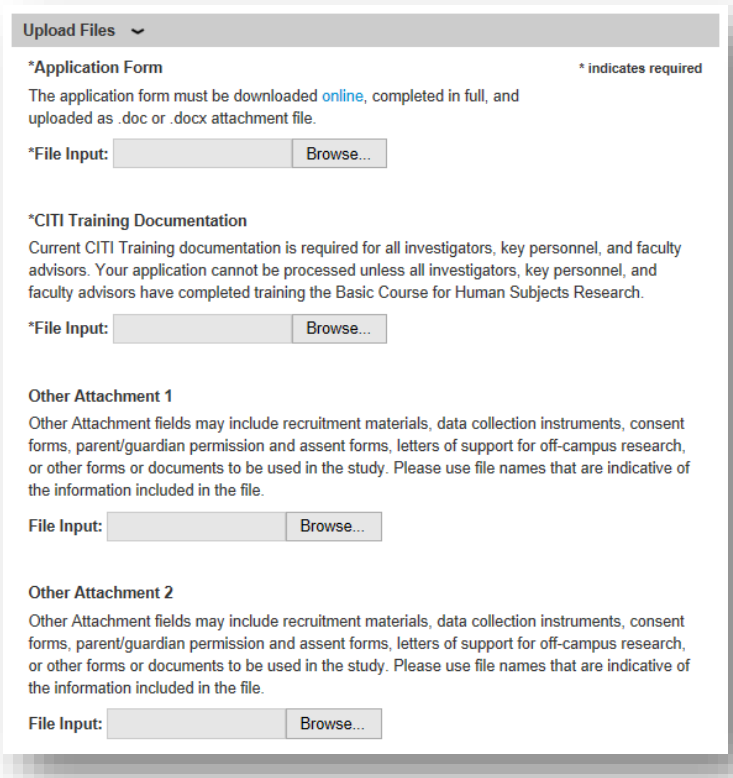
The Application Details section requires a Proposal Title (which must match the title used in all documents for the study) and the name of the applicant's department chair or unit director. For student-led studies, the name of the faculty research advisor is also required. There is a box available for notes and comments if there is information that might be helpful for the reviewers to know during the review process that is not addressed in the application materials. This box cannot be used as an alternative to providing information required by the application form.

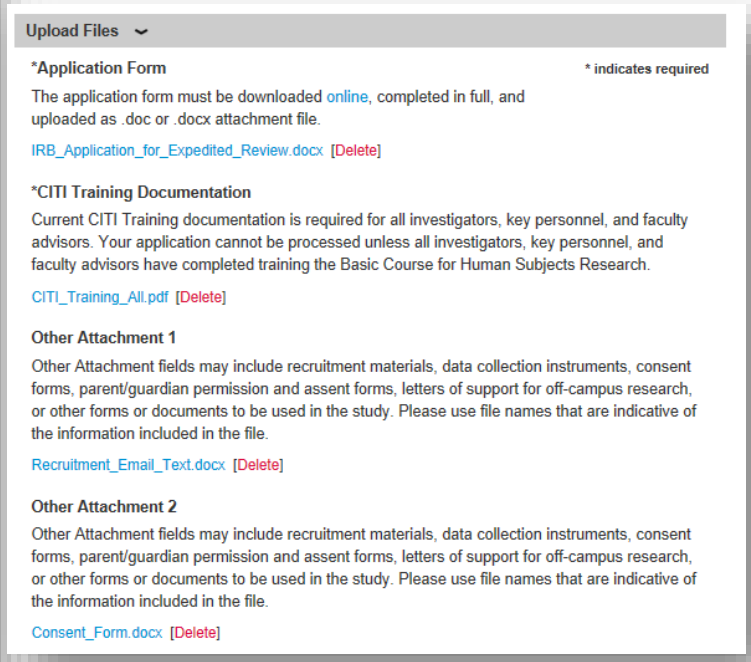
Below the Notes/Comments box, there are fields that are reserved for IRB use only that should be ignored by the applicant during the submission process.



The next section of the application is for uploading files. This is where applicants will add the completed application form, CITI training documentation, recruitment documents, consent documents, data collection instruments, and other required attachments. Attachment files should be uploaded in their original file formats (i.e., Microsoft Word documents), and files should not be converted to PDFs. PDFs are allowable for signed documents, CITI training documentation, and other files that were provided to the investigator as PDFs.

To add a file, click on the Browse button and select the applicable file from the computer or drive. Once added, the file name will appear. A link will also be available in case there is a need to delete and replace a file with an updated one prior to submission.

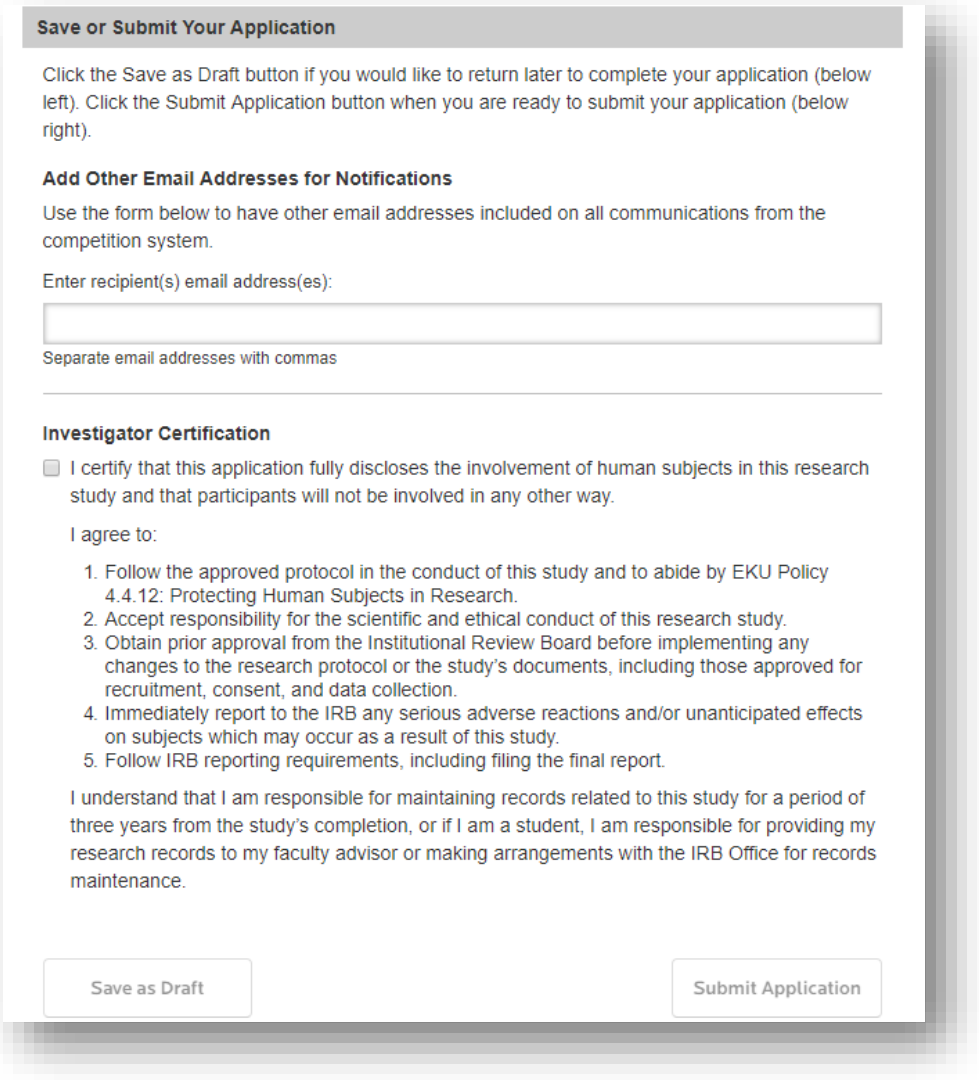




The final section of the application allows applicants to save or submit applications.

If the applicant wishes to have another individual copied on automated notifications, the email address can be entered in this section. These notifications will include a submission confirmation, a notification if the application is returned for updates prior to acceptance, a notification of acceptance for review, and an approval notification. Students should enter the email addresses of their faculty advisors in this section.

When ready to submit, the applicant must read the certification text, check the box to acknowledge agreement, and click the Submit button.



Following submission of a new application, the applicant (and anyone whose email address was entered to be copied on notifications) will receive an email confirmation for the submission. The IRB administrator will review the submission for completeness and return incomplete applications for updates prior to processing. Once an application is accepted by the IRB administrator, it will be assigned to the faculty advisor(s) and committee members (if the principal investigator is a student) and then to the department chair for approval prior to being reviewed by the IRB.

Submission Deadlines

In general, there is no deadline for the submission of limited review or expedited review applications; they are reviewed on an ongoing basis. Investigators can typically expect to receive feedback from an IRB reviewer or notification of approval in approximately two weeks from the time the department chair approves the submission. Note, however, that review times will be extended during the summer months, winter break, and other times when faculty are away from campus.

Applications submitted for full review must be submitted by the published deadlines. Applications submitted after the deadline for an upcoming meeting will be scheduled for review at the following meeting. Investigators will be notified when an application is scheduled for review and invited to attend the meeting. Attendance at the full review meeting provides the opportunity to answer questions from the IRB members during the review process. If the investigator is unable to attend the meeting, a list of questions and concerns will be prepared after the meeting and sent to the investigator by email. If there are outstanding concerns, the committee will not be able to vote on the application, and investigators should expect a delay in the approval process until the next scheduled meeting.

Addressing Concerns During the Review Process

If the faculty advisors, department chair, or IRB reviewers have questions or request updates to the application materials during the review process, the IRB administrator will contact the principal investigator by email. The email will include the feedback received with a request for revisions to address the feedback. Once an application enters the review process, the investigator will not be able to edit it in InfoReady Review and will need to reply to the email with the updated attachment files. Only files that have been revised should be included in the response.

When the investigator responds to feedback from the IRB with updated files, the IRB administrator will add the updated files to the submission and designate the revised or new files with REVISED_xx.xx.xx or New_xx.xx.xx in the file names with xx.xx.xx representing the date on which the updates were made. The IRB administrator will also print the correspondence with the investigator to a PDF “Correspondence” file and attach it to the application so that the reviewer will be able to see the response to the request for changes. The application will then be re-assigned to the same IRB member who initially reviewed the application for a Round 2 review. This will continue for additional rounds if all items are not addressed with the initial revisions.

Once the IRB has approved the application, the principal investigator will be notified by email.

Compliance Requirements for Approved Studies

The principal investigator for a study is responsible for ensuring that all investigators and staff associated with the study meet the training requirements for conducting research involving human subjects, follow the approved protocol, use only the approved forms and documents, keep appropriate research records, and comply with applicable University policies and state and federal regulations.

Adverse Events

An adverse event is an unexpected or serious negative event occurring in the conduct of a research project. Adverse events should be immediately reported to the IRB and must be reported within ten calendar days of the occurrence.

Continuing Review Requirements

Studies that were initially approved by the IRB through either expedited or full review procedures prior to January 21, 2019 are subject to annual review by the IRB if the project extends for more than one year. Studies that were initially approved through expedited review procedures on or after January 21, 2019 are not subject to continuing annual review except in unique situations where the need for continuing review was documented and included in the approval notification. All studies approved through full review, regardless of the initial approval date, are subject to annual continuing review (§46.109).

A Continuing Review submission must be completed at least two weeks prior to the anniversary date of the study's approval for each year the study is active, up to a maximum of three years from the study's initial approval date. If a study is to continue beyond three years from the original approval date, the investigator is required to complete and submit for IRB review a new research protocol using the University's current application forms.

The continuing review process is essentially a "check-in" requiring that the investigator provide details about the subjects enrolled and activities completed to date. This review process does not allow for any changes to be made to the study; changes must be requested through a Protocol Revision Request instead. However, if a study has been reviewed as part of the protocol revision process, this review satisfies the annual review requirement without an additional continuing review submission in the same one-year period. The annual review requirement is always based on the most recent review, regardless of the type of review.

Protocol Revision Requirements

Studies that have been approved by the IRB must have prior approval for any deviation from the original approved protocol (§46.108). A Protocol Revision Request is used to request approval to implement changes to a previously approved study.

Such changes may include:

- Revisions to the study's research procedures
- Extension of a study's end date
- Revisions to recruitment materials and/or procedures
- Revisions to consent, assent, and/or parent/guardian permission form(s) and/or procedures
- Revisions to data collection instrument(s)
- Revisions to the number of subjects to be recruited
- Revisions to study personnel
- Other revisions

Revision requests must outline in specific detail the changes to be implemented in the study. If any documents used in the study will be updated, copies of the revised documents must be attached for review. If new personnel are being added to the study, CITI training documentation must be attached to the submission.

Studies that have been approved by the IRB are approved only for the period indicated on the approval notification. If used to request approval to extend the study beyond the approved expiration date, the revision request must be submitted at least two weeks in advance of the project's expiration date and may be used to request an extension of a study up to a maximum of three years from the original approval date. If the project is to continue beyond three years from the initial approval date, the investigator is required to complete and submit for IRB review a new research protocol using the University's current application forms and submission process.

Research Records

The principal investigator is responsible for maintaining complete and accurate research records, including data collected for use in the study. These records are subject to audit. Records include the approved study protocol, approval notification, signed consent forms and/or parent/guardian permission and assent forms, completed data collection

instruments, other data collected as part of the study, continuing review submissions and approvals if applicable, protocol revision requests and approvals if applicable, and the final report.

When a principal investigator is a student, additional commitments from a faculty advisor are necessary. Following the completion of the study and throughout the records retention period, student research records must be maintained by the faculty advisor identified in Section 1, Item 3 of the application or provided to the IRB for records maintenance. Because a student's obligation to the University cannot be enforced once the individual is no longer a student, arrangements must be made to provide the research records to the faculty advisor for maintenance during the records retention period. This requirement is intended to both protect the confidentiality of the data and ensure that records are available for audit purposes.

Final Report

Within 30 days from the expiration of the study's approval, a final report must be filed with the IRB. A copy of the research results or an abstract from a resulting publication or presentation must be attached. If significant new findings are provided to the research subjects, a copy must be also be provided to the IRB with the final report.

To submit a final report, please follow the steps below:

1. Log in to your InfoReady Review account using your EKU credentials (user name and password, not email address).
2. Click the Applications link from the top menu bar.
3. Select the project title for your study.
4. Click the Progress Report button from the right sidebar menu.
5. Complete the information fields and attach copies of any required documents.
6. Click the Finalize button to submit your report. This button is located just above the attachment fields.

Resources

The following resources are available for investigators as additional learning resources and for reference as needed:

- Code of Federal Regulations Title 45, Subtitle A, Subchapter A, Part 46: Protection of Human Subjects
- The Belmont Report
- Federal Office of Human Research Protections (OHRP) website
- EKU Policy 4.4.12: Protecting Human Subjects in Research
- EKU IRB website
- EKU IRB CITI Training Guide
- EKU IRB Submission Procedures and Application Forms