



IRB Standard Operating Procedures		
<b>SOP#: 12 Revision#:</b>	<b>Title: Faculty Use of Their Own Students in Research</b>	<b>Effective Date: April 27, 2021</b>
<b>Approved By:</b>	<b>Institutional Review Board</b>	<b>Approval Date: April 27, 2021</b>

**PURPOSE**

To clarify the role and responsibility of the faculty when conducting research with NEIU students enrolled in their class.

**DEFINITIONS**

**Class projects** - any collection and/or analyses of human subjects data that are assigned as an educational exercise in the context of a specific course.

**Faculty use of one's own students in research:** When any faculty person employed by NEIU uses their own currently enrolled students, their currently enrolled students' course materials or information, or materials or information from previously enrolled students for research purposes as defined in 45 CFR 46.

**Faculty sponsored associations** - Organized interactions between students and faculty outside of a traditional academic classroom setting (e.g., advisor/advisee relationships, extracurricular club activities).

**Generalizable knowledge** - information which has the potential to be expanded from the isolated circumstances in which it is acquired to any broader context.

**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.

**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.

**IRB** - an institutional review board established in accord with and for the purposes expressed in the federal regulations for the protection of human research subjects.

**Minimal risk** - 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. Previously collected materials: Any course work, projects, papers, etc. that were created by students in contemplation of course completion and receipt of a grade and were retained by the faculty person who taught the course. These materials were collected and retained for non-research purposes.

**Program Evaluation**- Systematic collection of information about the activities, characteristics and outcomes of programs to make judgements about the program (or process, products, systems, organizations, personnel, or policies), improve effectiveness, and/or inform decisions about future program development.

**Research** - systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.

## POLICY

It is the policy of NEIU IRB that all research be conducted in accordance with the tenets of the Belmont Report. This includes maintaining the highest ethical standards and full respect for persons participating in human subject research. A core principle of the regulations governing the use of human subjects in research is that each person's participation is voluntary, based upon full and accurate information and with full informed consent.

- As a general policy, NEIU IRB discourages faculty from using their own students and/or student materials in human subjects research, unless there is a compelling and legitimate justification for its use. Whenever possible, faculty should not collect data from their students directly. IRB approval will be on a case-by-case basis.
- If one's own students are to be used in research, then the principal investigator (PI) and their research team must take all due precautions to protect the safety, rights and welfare of the participants, ensure the proper privacy and security of the research data and comply with all applicable University policies for the protection of students and student information at NEIU.

**Faculty who choose to use their current students as research participants may do so only under the following conditions:**

- There are no feasible alternative methods of data collection.
- Students must be given an opt-in option and not an opt-out option.
- There are no incentives, rewards or extra credit offered for participation.
- Priority remains on teaching, not data collection.
- Aggregated data use is preferred over identifiable data.
- A third party must be used to collect data.
- PI must provide a compelling rationale in the IRB application why they must use their own students for research over any other option.
- Students must be allowed to file a complaint/discuss concerns directly with the NEIU IRB Chairperson, and/or the NEIU Institutional Official (IO) and the faculty must provide these contact information before the study begins.
- Students are considered a vulnerable population due to the power dynamic between the faculty and student. As such, the review will be either expedited or full review, unless the IRB determines that the

study qualifies under an Exempt category.

PI must comply with Family Educational Rights and Privacy Act (FERPA) and get signed authorization to use FERPA protected information for research purposes. FERPA authorization is not required for directory information that is publicly available and thus not directly collected from the student subjects. The NEIU Registrar has final authority over FERPA protected data use. The IRB cannot override a final decision by the Registrar.

## **RESPONSIBILITIES IN DATA COLLECTION**

- The recruitment and/or consent process will be conducted by someone who does NOT have a status and/or classroom relationship with the potential subjects. The faculty member cannot recruit and/or gain consent.
- If the research is conducted within the classroom setting, data can be collected but not analyzed while the course is in session and not analyzed until grades are posted for students to see.
- Students identity and data collected are to be confidential until grades are posted.
- The faculty should not know which students have agreed or not agreed to participate in the study.
- Participation of students must be voluntary.
- Students may stop participating at any time without penalty.
- Students must not be penalized for non-participation.
- For studies conducted during class time, students who do not participate must be assigned an alternate task by the \*third party so as to have those students be active while others are engaged in the study.
- If data collection is taking place outside of the instructional time, non-participating students can be excused.
- The research presents no greater than minimal risk to subjects.
- The recruitment/consent language contains clear statements to address and minimize coercion and undue influence.
- Students must be provided with informed consent, following procedures that have been approved by NEIU IRB.

## **Third Party Role in Data Collection**

NEIU IRB requires that faculty who are conducting research with their own students use a third party to distribute and collect consent and data. This is similar to how data is collected for a course evaluation. The third party may be an individual from the department/office, another faculty member, or a co-investigator, etc. who has no relationship to the students or course (i.e. not a co-faculty, peer mentor, teaching assistant, or student teacher). The specific role of the third party may or may not require them to be listed as a co-investigator on the IRB submission. Individuals who are tasked with obtaining consent (i.e., describing the study procedures, answering questions about the study, ensuring comprehension, etc.) are engaged in human research activities and are considered investigators by the IRB. Other individuals (i.e., graduate assistants) who are only tasked with gathering consent (i.e., distributing and collecting data packets) are not themselves considered investigators on the study. How this process will work for each study will depend on the procedures, the subject population, and other components of the specific research plan.

## **Power Difference between Faculty and Student**

Research with one's own students presents unique considerations with regard to human subjects protections. At the center of the issue is the inherent power difference between student and faculty. Regardless of how well a faculty member presents the recruitment and option not to participate, students may feel as though they have to participate or risk having their non-participation impact their grade or relationship with the faculty. In addition, the idea of ongoing voluntary participation is a potential issue if a student intends to enroll in another course with the same faculty or decides she/he/they wants to discontinue participation after initially consenting. Real coercion is rare, but the perception of coercion can be just as problematic in obtaining voluntary informed consent.

Regardless of intentions, a faculty member's use of their own students in research poses significant ethical issues, creates potential risks to research participants due to the inherent conflict of interests or conflict of commitment situation, and raises the issue of voluntariness. At the same time, the IRB recognizes that there are a few times when this is the only viable option available in order to obtain reliable data. When faculty propose to conduct research with students as subjects, sampled from their own classrooms or other faculty-sponsored associations, the potential for coercion or undue influence increases and additional protections are required. In many cases, the involvement of a neutral third party may be an effective way to address perceived coercion or undue influence.

### **Avoiding Unintentional Coercion or Undue Influence in Classroom Settings**

Many research activities can be similar to or overlap with normal coursework or class projects. It is the researcher's responsibility to ensure that students can truly understand what research participation involves and can distinguish voluntary research activities from required course activities. There are many variations to using this approach depending on the timing and procedures involved. Here are some examples of processes that can help minimize coercion or undue influence:

#### **Examples for Avoiding Unintentional Coercion or Undue Influence in Classroom Settings**

##### Example of Conducting Research and Soliciting Enrolled Students for Participation:

Data will be collected from students in a targeted class through an anonymous survey (no names or other identifying information will be included). At the end of a class period, the faculty introduces a third party. The faculty member leaves after the third party is introduced. The third party discusses the study with the students, provides consent forms, answers any questions, and then begins to collect data. The third party will collect signed consent forms and keep them in a locked file cabinet until after the class grades have been posted. If data is collected electronically, it is the responsibility of the researcher and the research team to ensure data is collected anonymously or confidentially and not linked to electronic consent forms. The data will not be analyzed until all grades have been posted. Using this process, the students can be assured that the faculty does not know who provided which survey and who did or did not participate.

##### Example of Action Research and/or Research with Identifying Information and/or Qualitative Data Collection:

A faculty proposes to use typical student work products which includes identifying information (e.g., assignments, papers, interviews, etc.) as research data. If data is collected electronically, it is the responsibility of the researcher and the research team to ensure data is collected anonymously and not linked to electronic consent forms. Documented (signed) consent forms need to be collected by a third party from students who are willing to provide their data for the study. The third party will present the study to the

class and answer questions. The third party will collect signed consent forms and keep them in a locked file cabinet until after the class grades have been posted. After course grades have been posted, the faculty researcher can access the consent forms and collect and analyze only the work products of those students who have given permission to use their data in the study. Again, in this process the students can be assured that their participation, or lack thereof, has no impact on their grade or their relationship with the faculty.

Example of Experimental Action Research and/or Program Evaluation:

A faculty proposes to use data from student work products with or without identifying information (e.g., papers, projects, quizzes, exams, etc.) for analysis and public dissemination (e.g., publication, presentation) OR a faculty alters a component of their typical and usual instruction and/or assignments as a function of a formal research investigation. In either case, the faculty *must* complete an IRB application and obtain informed consent from student subjects. It is recommended that faculty then follow best practices to mitigate unintentional coercion or undue influence in their classroom.

Example of Action Research and/or Program Evaluation:

A faculty proposes to use quantitative or qualitative data from typical student work products without identifying information (e.g., quizzes, exams, project scores, etc.) for private analysis or programmatic evaluation. If the faculty is *not* involving any identifying student information in their analyses or their reports, and the analyses are reliant solely on existing data acquired from assignments that are completed as a standard part of the course, then the faculty does *not* need to submit an application for IRB approval. Analysis must be conducted after the course is complete and grades have been submitted.

Program evaluations do not require IRB review or approval. The intent of program evaluation is the assessment of how well a process, product, or program is working in a specific context. The main focus is on process, product, or program. Program evaluations are usually funded by the entity doing the program evaluation. On the other hand, research studies do require IRB approval because research aims to produce new knowledge to contribute to a broader societal endeavor and focuses on population (human subjects). Research studies may have external funding.

**Regulations**

[45 CFR 46.102](#)

**Author Reference**

NEIU IRB

[George Mason University SOP "Classroom Projects"](#)

[Ball State University SOP on Faculty Use of Own Students in Research and Use of FERPA Protected Information, from the Office of Research Integrity and Institutional Review Board](#)

**Contact Information**

Please direct questions or concerns about this policy to:

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**Disclaimer**

The University reserves the right to modify or amend sections of this IRB SOP at any time at its sole

discretion. This IRB SOP remains in effect until such time as the Responsible Officer calls for review. Requests for exception to any portion of this policy, but not to the policy statement, must be presented in writing to the Responsible Officer.