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## What You Need to Know About the IIT's Institutional Review Board

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## **IIT's Institutional Review Board**

Debbie Ginsberg

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Empirical and survey research for legal scholarship may involve university Institutional Review Board (IRBs). The links below include some basic information about IRBs and their implications for legal scholarship.

### **Benefits of IRBs:**

- Protects human research subjects from physical, legal, psychological, and social harm.
- Provides university support for faculty research.
- Ensures that research complies with federal regulations.
- Ensures that research complies with university policies.

### **Issues for Legal Scholarship and IRBs:**

- Not clear what research needs to be submitted – Surveys? Interviews? Other research?
- Process can be time consuming.
- Researchers and IRBs may interpret regulations and institutional policies in different ways
- Relevance not as clear for social science research.

### **What are Institutional Review Boards?**

An IRB “is a committee that has been formally designated to approve, monitor, and review biomedical and behavioral research involving humans with the aim to protect the rights and welfare of the research subjects.” (From Wikipedia.)

- Basic overview of IRBs (via Wikipedia): [http://en.wikipedia.org/wiki/Institutional\\_review\\_board](http://en.wikipedia.org/wiki/Institutional_review_board)
- Federal Office for Human Research Protections: <http://www.hhs.gov/ohrp/>
- Federal Regulations, Protection of Human Subjects (45 C.F.R. § 46): <http://bit.ly/45cfr46>

### **IIT's Institutional Review Board**

IIT's IRB website includes information about university human subject research policies, procedures, and training requirements.

- IIT's IRB website: [http://www.iit.edu/research/services/orcpd/ORCPD\\_IRB.shtml](http://www.iit.edu/research/services/orcpd/ORCPD_IRB.shtml)
- IIT's Policy for the Protection of Human Research Subjects  
<http://www.iit.edu/research/services/orcpd/docs/IRBProceduresJune2002.pdf>

- IIT's IRB Handbook of Procedures  
[http://www.iit.edu/research/services/orcpd/docs/Policy for Protection of Human Subjects Oct 2007.pdf](http://www.iit.edu/research/services/orcpd/docs/Policy%20for%20Protection%20of%20Human%20Subjects%20Oct%202007.pdf)
- Required training: <http://phrp.nihtraining.com>
- Example of an IIT consent document <http://printobject.com/phd-project/wordpress/consent-document/>

### **IRBs and Legal Scholarship**

The Empirical Legal Studies Blog has often discussed the role of IRBs in legal scholarship.

- Empirical Legal Studies Blog, FAQs re: Legal Scholarship and IRBs  
[http://www.elsblog.org/the\\_empirical\\_legal\\_studi/irb.html](http://www.elsblog.org/the_empirical_legal_studi/irb.html)
- Posts from the Empirical Legal Studies Blog on IRBs  
[http://www.elsblog.org/the\\_empirical\\_legal\\_studi/irbs/](http://www.elsblog.org/the_empirical_legal_studi/irbs/)
- New York University Law Review, Article Submissions, Guidelines for Empirical Submissions (IRB approval is recommended)  
<http://www.law.nyu.edu/journals/lawreview/submissions/index.htm>

### **Confusion over IRBs**

The role of IRBs in the social sciences is unclear, and law faculty aren't always sure when IRB approval is necessary.

- The First-Person Narrative in Legal Scholarship, Concurring Opinions (the post does not mention IRBs, but several comments discuss whether there are IRB implications for using narratives in legal scholarship): [http://www.concurringopinions.com/archives/2008/03/the\\_firstperson.html](http://www.concurringopinions.com/archives/2008/03/the_firstperson.html)
- Why Don't You Need IRB Approval to Talk About People in Cases?, Concurring Opinions (includes some general discussion about the role of IRBs in legal scholarship):  
<http://www.concurringopinions.com/archives/2010/09/why-dont-you-need-irb-approval-to-talk-about-people-in-cases.html>

### **Criticism of IRBs**

Faculty in law and other disciplines question whether current IRB policies and practices stifle social science research.

- Institutional Review Blog (discusses the role of IRBs in the social sciences):  
<http://www.institutionalreviewblog.com/>
- Symposium on Censorship and Institutional Review Boards (2007 Northwestern Law Review Symposium featuring several articles critiquing IRBs):  
<http://www.law.northwestern.edu/lawreview/issues/101.2.html>
- Malcolm M. Feeley, Legality, Social Research, and the Challenge of Institutional Review Boards, 41 L & Soc. 757 (2007) (includes an overview of some of the issues regarding social sciences and IRBs): <http://bit.ly/feeleyirb>