

# **Institutional Review Board By-Laws**

## **The Cooper Union for the Advancement of Science and Art**

### Article I – Name and Offices

1. The name of this Board shall be the Institutional Review Board of the Cooper Union for the Advancement of Science and Art.
2. The registered office of this Board shall be located at 41 Cooper Square, New York NY 10003; (212) 353-4378.

### Article II – Statement of Purpose

1. The Institutional Review Board of the Cooper Union for the Advancement of Science and Art (IRB) has the responsibility for the oversight of all research involving human subjects conducted or supported through research activities which are conducted by faculty, students and/or staff associated with the Cooper Union. The goal of this oversight is to protect the rights, privacy and welfare of all human participants in research while respecting, supporting and enhancing the responsible and ethical scholarship activities of the faculty, students and staff.

To achieve this goal, the IRB has the authority to review, approve, modify or disapprove research protocols submitted by faculty, staff and student investigators which involve human subjects as well as to monitor and review their progress. The review and monitoring processes are to be guided by federal rules and regulations, and are based on the Protection of Human Subject Code of Federal Regulations, the Belmont Report and provisions of 45CFR46 – Protection of Human Subjects. These regulations require institutions receiving federal funds to have all research involving human participants be approved by an IRB.

Students are not generally permitted to carry out human subject research. Such research will not be approved by the IRB unless it will be carried out under the direct observation and supervision of a full-time faculty or staff member of the Cooper Union.

2. The Statement of Purpose of the IRB and these By-Laws shall be periodically reviewed. Such reviews will occur at least once every five years.

### Article III – Scope of Responsibilities

1. The goal of the IRB is to assist researchers and institutional administrators with their duty to protect the rights and welfare of human research participants.

In particular, the IRB is responsible for

Providing initial and continuing review of nonexempt research.

Ascertaining the acceptability of proposed research in terms of Institutional policies and procedures.

Documenting that reviews are conducted according to Institutional policy.

Providing assistance and information to investigators engaged in research involving human participants.

Developing policy, procedures, information, and instructions regarding human participants research.

Adjudicating differences and reviewing problems arising in research involving human participants.

Ensuring compliance with externally mandated policies and regulations.

Reporting to the appropriate institutional officials and, for research governed by HHS regulations, to the Secretary of the HHS, any serious or continuing noncompliance by investigators with the requirements and determinations of the IRB.

#### Article IV – Members

1. **Members.** A total of seven (7) members. Five (5) members will be tenured or tenure-track full-time faculty members or full-time librarians, and will be appointed by the Dean of Engineering in consultation with the Administration of the Cooper Union. The Dean of Engineering will also appoint a representative from the Administration as an IRB member. The IRB Chair will appoint a member of the surrounding community who is not affiliated with the Cooper Union to be a member. At least one member of the IRB will not be an active researcher.
2. **Powers.** The members shall have and may exercise such powers and rights as are vested in the By-Laws. Additional powers and rights may also be stipulated by local, state and/or federal law. Where such powers and rights are in conflict with those enumerated in the By-Laws, the requirements of local, state and/or federal law shall prevail.
3. **Meetings.** The IRB shall meet at least once each semester during the academic year to conduct its business. The IRB Chair may cancel any periodic meeting of the IRB if it has no business for its consideration for any particular regular meeting. Any determinations made by the IRB at its meeting shall be communicated to affected parties within five business days of the meeting.
4. **Quorum.** A majority shall be necessary to constitute a quorum for the transaction of business. Any action may be taken without a meeting if consent in writing is signed by all members. The quorum number required in order to make any decisions or to vote is more than half of the active members.
5. **Teleconference.** At the Chair's discretion, one or more members may participate in a meeting by means of a telephone conference or similar telecommunications equipment by means of which all persons participating in the meeting can hear each other at the same time.

6. Voting. Each voting member, including the Chair and the Secretary, is entitled to one (1) vote on any matter. Voting in absentia and/or by proxy is not permitted unless the member is participating in the meeting remotely (see 5. above).
7. Minutes. The minutes of each meeting shall be recorded by the IRB Secretary. The minutes will be typed and distributed to all members as soon as possible.

#### Article V – Officers

1. At its first meeting, the IRB shall elect a Chair and a Secretary for a three-year term by a majority vote of its members. The Chair and Secretary can stand for re-election for subsequent terms.
2. The Chair will conduct meetings according to Robert's Rules of Order, set the agenda for meetings, communicate with the Cooper Union community regarding processes to be followed, communicate the results of reviews to applicants and administrators, advise applicants as to their reporting responsibilities during the course of approved research, and generally coordinate and direct all activities of the IRB. The Chair of the IRB will also write and distribute an annual report. The Secretary will record and distribute minutes of all meetings and assist the Chair with routine matters.
3. The Chair and the Secretary will be provided with sufficient administrative support to carry out their duties and responsibilities, including adequate meeting facilities, storage space, and electronic resources.

#### Article VI – Summary of Review Process.

1. Federal law provides institutions with the ability to assess whether human research proposals are exempt from IRB oversight, as well as the ability to carry out expedited reviews of IRB proposals when certain requirements are met. The Chair shall have responsibility to carry out a preliminary assessment of each proposal and determine whether it is exempt, or alternatively, whether it is eligible for expedited review. If not exempt but eligible for expedited review, the proposal will be reviewed by an IRB member designated by the Chair for this review or, if this is not possible, the proposal will be reviewed by the Chair. If not exempt or eligible, or if not accepted during expedited review, the proposal will be reviewed by the full IRB and must be approved by a majority of IRB members (at least four (4) votes in favor). In all cases the results of the review will be communicated to the Chair, who will inform the PI(s) as well as all other IRB members.

#### Article VII – Amendments

1. Subject to the approval of a supermajority of the members ( $> 2/3$ ), these By-Laws can be altered or amended at any regular or special meeting of the IRB.
2. Subject to unanimous approval of the members, these By-Laws can be repealed at any regular or special meeting of the IRB.

Presented and approved by the IRB on the 24<sup>th</sup> day of April, 2012.

Attest:

I certify the preceding to be the true and correct By-Laws of the Institutional Review Board of the Cooper Union for the Advancement of Science and Art.

IRB Chair:

Date

IRB Secretary:

Date