

Application to the Human Assurances Committee

___ Cultural Themes of the Communities of the Lapwai Creek Watershed, Waters of the West Project

___ Rodney Frey, Professor of Anthropology and American Indian Studies

___ Sociology, Anthropology, Justice Studies _____

___ University of Idaho 1110 _____

Investigator's e-mail: _rfrey@uidaho.edu _____

University of Idaho

HUMAN SUBJECT REVIEW SUMMARY FORM

Introduction

Any research involving human participants (subjects) conducted by, or conducted on faculty, students or staff of the University of Idaho must be reviewed and approved by the Human Assurances Committee.

There are **two** categories of research involving human subjects: **Exempt and Non-Exempt**. Regardless of the category, a proposal must be submitted to the Human Assurances Committee **and** approved **before** research can begin. If the proposal is approved, this approval is valid for one year. Projects may be renewed annually for a total of three years.

A. Categories of Review

To determine whether a research project must be submitted for review by the Human Assurances Committee, and if so, under which category of review, please follow the instructions below:

ANSWER THE FOLLOWING QUESTIONS

1. Does the project involve research or data collection using human subjects (either alive or dead), including any of the following kinds of activities: experiments, tissue samples, drug administration, surveys, questionnaires, interviews, archival analysis / data mining, or observation of behavior?

If YES → Go to Question 2

Does the project qualify for exemption from federal regulations for the protection of human subjects? Pages 3 & 4 of this form list the conditions that must be met for a project to be considered exempt.

NO → Fill out Human Subject Review Form 2: “Non-exempt” category.

Note: All researchers participating in human subject's research are now required to take the online course produced by the National Institutes of Health <http://cme.cancer.gov/clinicaltrials/learning/humanparticipant-protections.asp>.

Copies of certificates of completion will be required before projects will be approved.

ANSWER THE FOLLOWING QUESTIONS
After hitting insert or overtyping,
Put a Bold X on the appropriate line for each answer

	YES	NO
Can anyone, <u>including the researcher</u> , link the subject's identity with the data?	__X__	___
Are any participants under 18 years of age? (Other than in an established educational setting and involving minimal risk)	___	__X__
Are any participants confined in a correctional or detention facility?	___	__X__
Is pregnancy a prerequisite for serving as a participant?	___	__X__
Are fetuses in utero subjects in this research?	___	__X__
Are any participants presumed to be not legally competent?	___	__X__
Are personal records (medical, academic, etc.) used without written consent?	___	__X__
Are data from subjects (responses, information, specimens) directly or indirectly identifiable?	__X__	___
Are data potentially damaging to a subjects' financial standing, employability, or reputation?	___	__X__
Will participants be asked sensitive questions about personal feelings, behavior, interactions or sexual experiences?	__X__	___
Will alcohol, drug, or any other substance be ingested, injected, or inhaled?	___	__X__
Will blood/body fluids be drawn?	___	__X__

If the answer to any question above is:

YES → The project DOES NOT qualify for exempt status (COMPLETE FORM 2 ONLY).

Form 2: University of Idaho Human Subject Review – Non-exempt Projects

This project qualifies for “Non-Exempt” status. Please complete the following application. In addition, the following information must be included:

1. An electronic copy of certification in PDF or Microsoft Word format that the online course sponsored by the National Institutes of Health has been completed.
NIH website: <<http://cme.cancer.gov/clinicaltrials/learning/humanparticipant-protections.asp>
2. If applicable, an electronic copy of an Informed Consent Form that includes all components as outlined on page 4 of this form.
3. If applicable, a copy of the survey, questions intended to be asked, or if conducting qualitative research, initial entry questions and items where the investigator might probe for additional information.

Principal Investigator: ___Rodney Frey_____ Academic Title ___Professor Anthropology_____
Department/Division: ___Sociology/Anthropology_____ Campus Zip Code ___1110_____ Phone ___885-6268_____
Project Title ___Cultural Themes of the Communities of the Lapwai Creek Watershed, Waters of the West Project_____
Anticipated Start Date: ___15 December 2008 _____ Anticipated End Date ___ongoing_____
Faculty Sponsor (if you are not principal investigator) _____
Is the project seeking funds? (Answer using a bold “X”) YES ___X___ NO ___

If yes,
Granting Agency: ___undetermined at this time, but including National Endowment for the Humanities, National Science Foundation, and others _____

Grant Title: _____

Principal Investigator on Grant: ___Rodney Frey_____

If a continuation, date of previous approval: _____

I. SUBJECTS/PARTICIPANTS

A. Approximate number ___80_____

B. Age Range ___18 – 80 _____ (Note: Participants less than age 18 have additional requirements)

C. How will participants be selected or recruited? **Interviewers will be selected on a volunteer basis, using intensity, snowball, variety, and saturation sampling techniques and in consultation with host community sponsors.**

D. Are there participants who will be excluded? Why? **No**

E. Will participants be paid? If yes, how much, when, and how? Must they complete the project to be paid? **In the instance of enrolled Nez Perce tribal members, per the Tribes Research Permit, members will be paid an honorarium of \$100. They will need to complete the interview to receive the honorarium.**

F. Are any of the participants not competent to give consent (e.g., minors, prisoners, institutionalized)? **No** If yes, how will consent be obtained? From whom? Are there procedures for gaining assent (if appropriate)?

If appropriate, how will “assent” be obtained? (Participants themselves, even though deemed not competent, must agree to the research.)

G. Will this study be conducted in an Educational (School / Pre K - 12) setting and involve children or teachers actively teaching within the classroom as part of the study? **No** If yes, **ATTACH** documentation from a Teacher and School Principal, Superintendent, or other administrator indicating approval. Also, **ATTACH** appropriate material regarding to FERPA regulations (if applicable).

II. DESCRIPTION OF PROJECT. Type answers in the spaces provided. Although you may cut and paste materials from other documents, **Do Not** refer to attached grants, papers, dissertation proposals, etc. Be clear, brief and specific. **The HAC application must stand on its own.**

- A. Describe the Purpose of the Research. **As part of the Waters of the West Lapwai Project, this research seeks to understand the cultural themes and values held by members (both past and through time to the present) of the various Lapwai-basin sub-communities, including various Nez Perce families and Lewiston Orchard's residents. Each of these sub-communities would offer their own views on the significances of how they define and give meaning to the cultural elements and agents within the basin (water, mountain, fish, fauna, flora, spirit, human, etc), as well as the nature of the cultural interactions and relations among and between those elements and agents. The focus of this research would be on how the nature of these interactions and element categories are defined by the members of the various sub-communities, their perspective, and their world view. The premise of this sort of research would be to understanding the cultural themes and values relied upon in the members of these distinct communities we would be in a better position to understand how the actions and decision-making of sub-community members are in part derived. With this sort of information, all the stake holders from these diverse communities would be in a better position to ascertain how mutually beneficial partnerships, and land and water-use strategies and policies could be developed. In addition, the preservation and restoration of animal, plant and fish habitat could be increased through better land-use policies so developed.**

As part of the research design, I would seek to have an ongoing Tribal and County Commissioner review, as well as a final review, of the information and materials developed for this segment of the Lapwai Project. Such ongoing feed-back I find most essential. I acknowledge the essential role of cultural property rights for all Tribal-related materials developed for the project, and the importance of a final review of those materials by the Cultural Resources Program and NPTEC, reviewing them for their authenticity and appropriateness as defined from a Nez Perce perspective.

- B. Describe the Research Design (Survey, Naturalistic Observation, 2 by 3 Factorial Design, Qualitative Design, etc). **The methodology for this cultural-based research would be collaborative-based, qualitative in nature. I would first want to meet with the key players and decision-makers from the communities who are involved with the project, such as from the Nez Perce County Commissioners Office and Nez Perce Tribe's Cultural Recourses Program, and explain my role and fit in the entire Lapwai Project. I would seek their guidance and critique, and develop collaborative partners within these offices or with others they would suggest. These partners would work with me in pursuing the various aspects of this project, regarding both its content focus and methodological. Among the methods I would use would be modifications of participant-observation, semi-structured interviewing with consultants (using a snowball sampling technique), a heavy reliance on interpretations of oral tradition and historic textual materials, as well as other archival research.**

C. Describe the Procedures (What will the Participants do). The participants will be interviewed by the PI and observed in their natural day-to-day activities as those activities relate to various land and water use in the Lapwai basin. Informed consent would be obtained prior to interviewing and observational research.

- D. If any deception (withholding of complete information) is required for the validity of this activity, explain why this is necessary and **Attach** a debriefing statement. **None withheld.**

III. ASSESSMENT OF RISKS AND BENEFITS.

- A. Describe the nature of any potential risks. These include stress, social, legal, discomfort, invasion of privacy, or embarrassment, and side effects. **No personal risks are anticipated. But data and information gathered could be culturally sensitivity to the Nez Perce Tribe. In addition, the project desires that all Tribal information gathered be authentic, accurate and appropriate for public dissemination, and thus could be culturally sensitive.**
- B. Describe how each of the risks in part A will be minimized. Be detailed and complete. **To minimize personal risks and in consultation with the Nez Perce Cultural Resource Office, data and information gathered from individuals who have not expressly waived confidentiality might be de-identified before that information goes before Tribal review.**
- To minimize any risk of cultural sensitivity to the Nez Perce Tribe, all data and information gathered in the course of this project will be reviewed and cross-check by the appropriate Tribally-designated offices, including the Cultural Resources Offices, prior to public dissemination of project data and information.**
- C. In the event that any of these potential risks occur, how will they be handled (e.g., compensation, counseling, etc.)?
- D. Will this study interfere with any subject's normal routine (e.g., school attendance, medical treatment, etc.)? **No**
- E. Describe the expected benefits to society and to the individual subjects. **Among the potential benefits of this project will be to enhance intercultural communications and cooperation; will be to revitalize the Lapwai Watershed ecosystem; and will be to have a viable and economical means of providing water resources to the Lewiston Orchards.**
- F. Will blood be taken? (Answer using a Bold "X") YES___ NO **X**__

Who will take the blood? _____

How often? _____ How much? _____

Describe the procedure for drawing the blood:

IV. CONFIDENTIALITY OF DATA

Using a bold "X" answer the following questions

- A. Will data be anonymous (i.e., even the researcher will not be able to link the identity of the subjects/participants with responses)?
YES ___ (Go to Part C)
NO **X** (If NO, complete item IV-B.)
- B. Will data be confidential? YES **X** NO **X** **It depends on the wishes of the interviewees**

If **YES**,

Will the data be coded to a master list? YES___ NO **X**__

Will the list be kept separate from the data? YES___ NO **X**__

If **NO**,

Who else will have access to the data? **__The data will be made accessible to the Nez Perce Tribal Executive Committee and Cultural Resources Office, as well as the Nez Perce County Commissioners and their designees.** _____

Why? **__ Adhering to our cultural property rights agreements established in this project, as well as collaborator research relationships, these partners will have access to the data.** _____

How will confidentiality be maximized? **__ Informed Consent will always be required to proceed with the interview, respecting the wishes of the interviewee at all times.**

C. How will the data will be stored? Locked laboratory___ Locked file cabinet ___
Restricted Computer__**X**___ Other (describe):

D. How will the data eventually be deleted? If not deleted, how will linkage to identities be broken? ? **All original taped recorded interviews will be returned to the interviewee (if desired), and housed with the Nez Perce Cultural Resources Office and the Nez Perce County Historical Society, as well as kept by the researcher, per the permission of the interviewee.**

V. ADDITIONAL IMPORTANT CONSIDERATIONS

Using a bold "X" answer the following questions

A. Will any investigational NEW drug (IND) be used? YES_____ NO_**X**_____

B. Will any other drugs be used? YES_____ NO_**X**_____

If **YES** to A or B, list for each drug:

- 1) the name of the drug;
- 2) the source of the drug;
- 3) the dosage;
- 4) any side effects or toxicity;
- 5) how it will be administered; and
- 6) by whom it will be administered.

ATTACH PDR OR EQUIVALENT MATERIAL IN AN APPENDIX TO THIS PROPOSAL

C. Will a new investigative device (IDE) be used? YES_____ NO_**X**_____

IF **YES**, has the Idaho Research Foundation been notified? YES_____ NO_____

D. Will ethyl alcohol be ingested by the participants ? YES_____ NO_**X**_____

If **YES**, fill out the Alcohol Human Subjects Form found on the HAC website

Refer to the guidelines for administration of ethyl alcohol in human experimentation available from the UI Research Office.

E. Will audio-visual tapes, audiotapes or photographs be taken? YES_**X**___ NO_____

If **YES**:

Where will the tapes be stored? **In the PI's locked office, and eventually, Nez Perce Cultural Resources Office and the Nez Perce County Historical Society**

When will this material be destroyed? **It will not be destroyed.**

F. Will a written consent form be obtained? YES_**X**___ NO_____

If **YES**: please attach consent form (refer to the Components of a Consent Form included in packet).

If **NO**: how will consent be obtained?

Why is this method being used?

VI. INTERNATIONAL PROJECTS

Using a bold "X" answer the following question

A. Will the project be conducted outside the United States YES _____ NO **X**_____

If **YES**: Has an IRB been contacted in the country where the study will be conducted? YES _____ NO _____

If yes, provide documentation indicating approval.

If no, provide an explanation why an IRB has not been contacted and/or explain how you will comply with the Belmont Report, Declaration of Helsinki or similar document.

VII: OTHER AGENCIES

A. Some projects require additional approvals beyond IRB/HAC approval (e.g., Office of Management and Budget for surveys in federal parks, Native American Tribal Councils, U.S. Food and Drug Administration, etc). List additional agencies where project approval has been obtained. Attach appropriate documentation. If materials are under review at these agencies indicate the review is in progress.

- 1. ___Nez Perce County Commissioners_____
- 2. ___Nez Perce Tribal Executive Committee_____
- 3. ___Lewiston Orchards Irrigation District Board_____

VIII: Sponsored Programs

If this project seeking funding YES **X**_____ NO _____

Has Sponsored Programs been notified? YES _____ NO _____

IX: ONLINE COURSE COMPLETION

List the names of all investigators and indicate the date(s) of completion for all investigators taking the Protection of Human Subjects from the National Institutes of Health on line class. <

<http://cme.cancer.gov/clinicaltrials/learning/humanparticipant-protections.asp>

FACULTY SPONSOR NOTE: A copy of the completion certificate or other verification must be included for ALL investigators including laboratory assistants, observation observers, etc.

Name of Investigator	Date of Completion of Online Course
Rodney Frey	10/07/2005

If this project will be submitted or will receive external funding, print out the last page sign on the following signature line using a pen, provide the date of submission, and mail it to:

**Human Assurances Committee
University of Idaho
POB 443010
Moscow, Idaho 83844-3010**

Currently, an electronic copy or electronic signature is not enough to comply with the Federal regulations/requirements for funded research.

If this project will not receive external funding, or if applicable, go to the Consent Form (next) page.

Informed Consent Form

Project Title: Cultural Background – Waters of the West – Lapwai Creek Watershed Project

Principal Researcher(s): Rodney Frey

I, _____, the interviewee's full name, state that I am over 18 years of age, and freely and voluntarily wish to participate in the research being proposed above.

You are being asked to voluntarily participate in this research project, the Lapwai Creek Watershed Project. This project has the support and approval of the Nez Perce Tribal Executive Committee, the Nez Perce County Commissioners, and the Lewiston Orchards Irrigation District Board.

The nature of your participation will be that of an interviewee and/or guide to the research in participant-observations. In either instance, you will be asked to help provide your understanding of the cultural themes and values relating to the meaning and uses of the Lapwai Creek Watershed.

By gaining an understanding of the cultural themes and values held by the members of the various communities of the Lapwai Creek watershed, the general public and community leaders will be in a better position to develop mutually beneficial partnerships, as well as develop land-use strategies and policies to better govern the use of the watershed. In your particular instance, you could benefit from the better utilization, safe-guarding and preservation of the water-related resources of the Lapwai Creek watershed. The information gathered can lead to efforts at restoring and improving the water quality, animal, plant and fish habitat, and varied human uses of the watershed.

To help accomplish this research you will be asked a series of questions relating to the meanings and uses of various aspects of the Lapwai Creek watershed. The questions will occur in a formal interview situation and/or while you are engaged in some normal activity relating to your use of the watershed.

The duration of the interview will vary from an hour to two - three hours. Follow-up interviews maybe requested of you.

There are no reasonably foreseeable risks or discomforts associated with your participation in this research project.

As this is a voluntary project, you have the right not participate in it or to withdraw from the project at anytime.

As a voluntary project, you have the right of confidentiality, i.e., your identity will not be revealed to anyone other than the project researcher(s) without your consent.

At the end of this form there is list of persons you can contact if you have any questions about this research, your rights, and any other research-related injury as a subject of this research.

I acknowledge that Rodney Frey, principle researcher, has fully explained to me the purposes and procedures, and the risks of this research; he/she has informed me that I may withdraw from participation at any time without prejudice; and has informed me that I will be given a copy of this consent form. I freely and voluntarily consent to my participation in the above mentioned research project.

_____ I waive my right to confidentiality, i.e., my name may be used in the research.

_____ I do not waive my right to confidentiality, i.e. my name may not be used in the research or disclosed to anyone other than the project researcher(s)

List any special stipulations or conditions established by the interviewee in the conduct or disposition of this project:

Signature of Interviewee: _____

Signature of Principal Researcher: _____

Date: _____

This project has been properly filed as required by Federal, State, and University of Idaho procedures, and has been reviewed and approved by the University of Idaho Human Assurances Committee. You can contact them at:

Human Assurance Committee
University of Idaho
208-885-6162
hac@uidaho.edu
www.webs.uidaho.edu/hac

You can contact the principle researcher, Rodney Frey, Professor of American Indian Studies, at:

Rodney Frey
University of Idaho
208-885-6268
rfrey@uidaho.edu

You can contact the project director, Barbara Cosens, Associate Professor of Law, at:

Barbara Cosens
University of Idaho College of Law
Waters of the West Project
208-885-4977
bcosens@uidaho.edu

Project Signature Page

Title of Project _____ Cultural Themes of the Communities of the Lapwai Creek Watershed: a Waters
of the West Project _____

Principal Investigator: The information provided above is accurate and the project will be conducted in accordance with applicable Federal, State, and University of Idaho regulations.

Signature: _____ Date: _____

Human Assurances Committee: This project has been properly filed as required by Federal, State and University of Idaho procedures.

Signature: _____ Date: _____

Received by _____

Date received _____

**Proposed Framing Questions for
Cultural Background on the Lapwai Creek Watershed Communities:**

a collaborative-based, qualitative study

Submitted by Rodney Frey, 5 Oct 2008

The focus of this particular research is on an overview of the cultural themes and values relating to the meaning and significance of the Lapwai Creek Watershed and all its varied uses by members (both past and through time to the present) of the various Lapwai Creek Basin communities. I am proposing the following questions as a broad framework for the development of issues to be addressed in all aspects of this research endeavors, including questions to be addressed during interviewing, participant-observations, and archival research. These various questions will be anchored in the general theme of the Lapwai Creek Watershed Project, “*Exploring possibilities for defining and implementing a common and equitable vision across communities connected to the Lapwai Creek watershed.*” These questions will also be subject to modification and expansion once collaborative relationships are established with research partners from the key host stake holders of the Basin. And finally, these questions will be fine tuned and expanded by “follow-up” questions, in all aspects of the research, at that research is engaged and information gathered.

A. Identifying Participant’s Primary and Secondary Community Memberships:

How do you define your primary circle of people you interact with, as relatives and friends?

What are the boundaries and limits of those you call your primary circle of interactions?

What are the boundaries and limits of what you call your family, church, friends, co-works, etc?

What other circles of interactions with others do you consider important and why?

B. Identify the Participant’s Range of Interactions with and Significances of the Basin and Its Components that are Held by All (inclusive of themselves and by others) in the Community:

How would you define the boundaries and limits of what can be called the Lapwai Creek Drainage or Basin? Does that title, the Lapwai Creek Basin, make any sense to you? Is there another title you would use?

Identify the various ways people in your larger community of the Basin have, in the past and today, interact with and find significance in the Basin? In what various ways can you image the Basin be significant for others?

And further, how have other people in your larger community interacted with and have found significance with various components of the Basin, which as the water, landscape, hills and mountains, the fish, the fauna, the flora, the spirit aspects, other humans, etc. within this Basin? Are there other components of the Basin I had not listed?

C. Identifying the Participant’s Past Cultural Themes and Values Associated with the Meaning of the Basin:

How have your particular family and friends (or primary category used by participant) in the past, including your parents and grandparent, interacted with the Basin?

What has been the significance and meaning of the Basin for your family and friends (or primary category used by participant) in the past?

D. Identifying the Participant's Current Cultural Themes and Values Associated with the Meaning of the Basin:

How does your particular family and friends (or primary category used by participant) today interact with the Basin?

What are the significances and meanings of the Basin for your family and friends (or primary category used by participant) today?

E. Shared and Contrasting Views on the Interactions with and Significance of the Basin:

How do you see your particular interactions with, as well as significances of the Basin shared by others in your community?

How do you see your particular interactions with, as well as significances of the Basin differing from others in your community?

In other words, in what ways are they shared and in what ways do they differ, elaborate?

What are your views on the continued access and use of the Basin by others in your community, when the views of others are shared in common with your use and significance?

What are your views on the continued access and use of the Basin by others in your community, when the views of others differ from your use and significance?

F. Identify the Participant's Future Cultural Hopes and Aspirations for the Basin:

How would you assess the future well-being of the Basin and all its components?

What are the greatest challenges and dangers threatening the use and significance of the Basin and its components?

In what ways and how would you like to see the Basin and all its components altered and changed, as well as safeguarded and enhanced for your future generations?



Human Participant Protections Education for Research Teams

Completion Certificate

This is to certify that **Rodney Frey** has completed the **Human Participants Protection Education for Research Teams** online course, sponsored by the National Institutes of Health (NIH), on 10/07/2005.

This course included the following:

- key historical events and current issues that impact guidelines and legislation on human participant protection in research.
- ethical principles and guidelines that should assist in resolving the ethical issues inherent in the conduct of research with human participants.
- the use of key ethical principles and federal regulations to protect human participants at various stages in the research process.
- a description of guidelines for the protection of special populations in research.
- a definition of informed consent and components necessary for a valid consent.
- a description of the role of the IRB in the research process.
- the roles, responsibilities, and interactions of federal agencies, institutions, and researchers in conducting research with human participants.

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