OJP Decision Tree for determining whether an activity constitutes research involving human subjects

Applicants are strongly urged to contact their grant/project managers with any questions.

Is the activity a systematic investigation designed to develop or contribute to generalizable knowledge?

Such activities may include program evaluations or assessments. Click above links for clarification.

If NO:

The activity is not “research.”

28 CFR part 46 does not apply.

If YES:

Is the activity being conducted only to comply with GPRA or OJP requirements for performance measures (and not for the purpose of developing or contributing to generalizable knowledge)?

If YES:

The activity is not “research.”

28 CFR part 46 does not apply.

If NO:

The activity is research. 28 CFR part 46 does apply. The remaining question is whether human subjects are involved.

Does the research involve obtaining information about living individuals?

If NO:

Human subjects are not involved. 28 C.F.R. part 46 does not apply.
Does the research involve either:

(1) obtaining information by intervening or interacting with an individual? Or
(2) collecting identifiable private information?

**YES**

The activity constitutes research involving human subjects. 28 CFR part 46 does apply. Contact your grant manager for further information regarding federal protections of human subjects.

**NO**

Human subjects are not involved. 28 C.F.R. part 46 does not apply.