

April 20, 2018

Kelly Elizabeth Pender, PhD  
Virginia Tech  
MSC0112  
181 Turner ST NW  
Blacksburg, VA 24061

Dear Dr. Pender:

**SUBJECT: REGULATORY OPINION—IRB EXEMPTION**  
Protocol Title: Public memorials as deliberative process: tracing the rhetorical ecology of memory in Virginia Tech's April 16 Memorial  
Investigator: Kelly Elizabeth Pender, PhD

This letter is in response to your request to Western Institutional Review Board (WIRB) for an exemption determination for the above-referenced research project. WIRB's IRB Affairs Department reviewed the exemption criteria under 45 CFR §46.101(b)(2):

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless:

(i) Information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (ii) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.

We believe that the research fits the above exemption criteria. The data will be collected in a way so that the subjects can be identified, directly or through identifiers linked to the participants. However, any disclosure of the human subjects' responses outside the research will not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. You have also confirmed that the results of this study will not be submitted to the Food and Drug Administration (FDA) for marketing approval.

This exemption determination can apply to multiple sites, but it does not apply to any institution that has an institutional policy of requiring an entity other than WIRB (such as an internal IRB) to make exemption determinations. WIRB cannot provide an exemption that overrides the jurisdiction of a local IRB or other institutional mechanism

**Western Institutional Review Board®**

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for determining exemptions. You are responsible for ensuring that each site to which this exemption applies can and will accept WIRB's exemption decision.

Please note that any future changes to the project may affect its exempt status, and you may want to contact WIRB about the effect these changes may have on the exemption status before implementing them. WIRB does not impose an expiration date on its IRB exemption determinations.

If you have any questions, or if we can be of further assistance, please contact Sean W. Horkheimer, JD, CIP, at 360-252-2465, or e-mail [RegulatoryAffairs@wirb.com](mailto:RegulatoryAffairs@wirb.com).

SWH:dao  
B2-Exemption-Pender (04-20-2018)  
cc: Jennifer Farmer, Virginia Tech  
Brook Elizabeth Covington, Virginia Tech  
WIRB VA Tech  
WIRB Accounting  
WIRB Work Order #1-1077405-1