**University of Dayton IRB Guidance on Use of Drawings**

**for Prizes as Incentive or Compensation for Participation in Research**

**March 13, 2014**

The State of Ohio regulates the operation of lotteries, raffles, and other games of chance. In Ohio, a game of chance is defined as a "game in which a player gives anything of value in the hope of gain, the outcome of which is determined largely by chance” [ORC2915.01(D)]. A raffle is defined as a situation "in which the one or more prizes are won by one or more persons who have purchased a raffle ticket. The one or more winners of the raffle are determined by drawing a ticket stub or other detachable section from a receptacle containing ticket stubs or detachable sections corresponding to all tickets sold for the raffle” [ORC2915.01(CC)]. Given the narrow description of a raffle, the type of drawing that most researchers would normally use would most likely be considered a “game of chance.” In a game of chance the participant is required to provide something of value (i.e., “consideration”) in exchange for the chance to win. Consideration can be the purchase of a chance to win or *the giving of an individual’s time to participate in a research study*. It is a misdemeanor of the first degree in Ohio to conduct a game of chance or raffle that does not meet certain requirements that would very rarely be met by most researchers using a drawing as compensation or incentive.

However, *games of chance or* *raffles (collectively, “drawings” for the purposes of this guidance) may be conducted if persons are allowed to participate in a drawing without being required to provide any consideration*. In other words, in order for the drawing to satisfy state laws, all people in the sampling frame must be eligible (i.e., all individuals in the subset of the population the sample is being recruited from), including those who decide to withdraw from or not participate in the study.

If a researcher wishes to utilize a drawing as a means to compensate or attract research participants, he/she must adhere to the following provisions and explain the drawing procedures in the IRB application and, as applicable, in the “Procedures” section of the informed consent document(s):

* **The drawing must be open to all individuals in the subset of the population the research sample is being recruited from, whether they participate in the research or not.** The researcher must provide the IRB with a comprehensive plan for how individuals will learn of the research study, how they may participate in the drawing (whether participating in the study or not), how the prize will be selected (i.e., who will conduct the drawing, etc.), how the recipient will be notified, and other relevant information pertaining to the drawing;
* **All persons who elect to participate in the drawing must have largely the same chance of winning the prize(s). The researcher must include statements that entry into the drawing is not contingent on participation in the research and that a person may remain eligible for the drawing even if he/she withdraws from a study, does not complete every question, or does not participate in the study at all;**
* All UD IRB guidelines for compensating participants must be followed (available upon request from IRB@udayton.edu);
* The drawing must be conducted in a manner that does not compromise participant anonymity or confidentiality that is protected by other protocol methodology;
* The researcher must provide the IRB with information concerning the amounts and number of prizes involved in the drawing and the expected/approximate probability of winning. Both the amounts and number of prizes must not be coercive or exert an undue influence on participants, and the disparity between participants should be considered (i.e., it is preferable to have several lower value prizes rather than one higher prize because the disparity between participants is reduced);
* The researcher, any co-researchers or research assistants named in the protocol, immediate family members (spouse, parents, siblings, and children) of such persons, and any other persons with a direct interest in the research study must be excluded from participation in the drawing; and
* The researcher must maintain records regarding the drawing along with other research-related documents.