

## CASE 5: A stimulus case on informed consent

Professor Lambada is heading a research group that aims at supporting decision-makers in software development projects through the application of advanced machine learning techniques using data from project repositories as well as logged data produced during the usage of software. Additional data sources are surveys and interview studies with both developers and users of software. Prof. Lambada is also teaching BSc and MSc level classes in software development where students develop and test software.

Prof. Lambada has now the idea that his PhD students could use the data created by the students during their course work. In particular one course, in which the students are engaged as teams in the developing of a larger project, seems to be a good data source. Besides using of the BSc/MSc students' project repositories for building and testing prototypical decision support tools, the data might also be useful for other tasks, e.g., for developing a code plagiarism checker that the TA could use to spot plagiarism in the code submitted by students in their homework assignments, for predicting conflicts in the team, and many other purposes.

However, before Prof. Lambada tells his PhD students to use the BSc/MSc students' project repositories for their research, he wonders whether he should not ask (or have asked) the BSc/MSc for their consent.

Would you ask the students for consent, if you were in professor Lambada's situation?

1. Since we will not disclose the identity of the BSc/MSc students in the analysis, I would not ask for consent. Asking for consent would only irritate the BSc/MSc students and some of them might simply not allow that we use their data without a good reason. Of course, all data will be anonymized, so, no student will ever know what happened with their data.
2. I will try to contact past students and ask them retrospectively for their consent via email. For new students, I will ask at the beginning of the course for their consent via email (or Slack or something similar). Of course, I will then only use the project repositories where all team members gave consent. All data will be anonymized.
3. I will try to contact past students and ask them retrospectively for their consent via email. For new students, I will ask at the beginning of the course for their consent via email (or Slack or something similar). I will then only use the project repositories where at least one team member gave consent and the others didn't reject the consent within 10 days after I have sent my request.
4. I will try to contact past students and ask them retrospectively for their consent via email. For new students, I will ask at the beginning of the course for their consent via email (or Slack or something similar). I will then only all project repositories where none of the

students rejected the consent within 10 days after I have sent my request. All data will be anonymized.

5. In order to not irritate students at the beginning of the course (and impose pressure on them to give consent – they might fear that when they say ‘no’ they will be treated differently), I will only use repositories after the course has been completed. I will contact students who have finished the course and ask for consent via email. Option a) as in 2 Option b) as in 3 Option 4) as in 4. All data will be anonymized.
6. I will not use repositories from past years as it might be difficult to reach former students. Thus, I will ask the students for consent at the beginning of the course. I will make it clear that consent is absolutely voluntary and not giving consent will have no negative impact on the treatment of students during the course. Option a) as in 2 Option b) as in 3 Option 4) as in 4. All data will be anonymized.

If you decide to ask students for consent, how would you do that?

1. I will ask for consent in a face-to face meeting (could be via Skype and in 1:n setting). In this way I can explain the potential usage scenarios and answer questions.
2. I will do it via email. The email will briefly describe what we (currently) plan to do with the data.
3. I will create an online form that the students have to fill in. The form briefly describes what we (currently) plan to do with the data. At the end, the form contains a ‘yes’ and ‘no’ check box.
4. I will create an online form that the students have to fill in. The form briefly describes what we (currently) plan to do with the data. At the end, the form contains a ‘yes’ and ‘no’ check box. If the ‘yes’ box is checked there will be asked a few questions to check whether the students have actually understood how the data will (potentially) be used. Only when the students have checked the correct answers to these questions the ‘yes’ decision will be approved.

*[If you make use of this for training purposes please acknowledge source as: EC-funded PRO-RES Project <http://prores-project.eu/>*

*Similarly if you wish to suggest a case to be deposited on the website contact us with your suggestion.]*