

**Guidance on Conducting Research in Schools**

**Regulations:**

* 45CFR46.101
* 45CFR46.401 (Subpart D – Additional Protections for Children Involved as Subjects in Research)
* Family Educational Rights and Privacy Act
* The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98)

**Definitions:**

Department of Education research - Any research conducted in a school that accepts federal funds is subject to Department of Education research. (i.e., federal funds for school lunches, playground equipment, etc.)

Examples of Research performed in Schools:

* Surveys about lifestyles, attitudes and health
* Observations of students, classroom or teacher behavior
* Interventions for health promotion and lifestyle change

Family Educational Rights and Privacy Act (FERPA) - is a Federal law that protects the privacy of student education records.

Protection of Pupil Rights Amendment (PPRA) – is intended to protect the rights of parents and students in seeking to ensure instructional materials are available for inspection to parents and to ensure schools obtain written parental consent before students participate in research.

**Policy:**

* Researchers must follow HRPP policy 16.0 Research Conducted by the Department of Education
* Researchers must train their staff adequately on applicable policies and regulations including

**Steps to Conducting Research in Schools**

1. Obtain letter of support from school district to include in grant application. A template of a letter of support can be found at [www.pbrc.edu/HRPP/guidance](http://www.pbrc.edu/HRPP/guidance) or the last page of this document. The school principal should also provide a letter of support. Teachers should be contacted to ensure they can provide time to conduct research. All researchers need to be aware the school district may also need to give permission, depending on the school or school district’s policy.
2. Train personnel and educate all staff conducting research in the school facilities and children. See FERPA and PPRA guidelines on the next page.
3. Ask teachers to send the consent to parents. Researchers may want to consider sending an informational letter before sending the consent home so parents will understand what the research entails.
4. Obtain child assent.
   1. Withdrawal procedures are explained to the child
   2. Research staff watch for crying or uncooperative behavior and ceases testing/tutoring if this occurs on more than one occasion
5. If an assent waiver is applicable and approved by the IRB, the researcher must retain such documentation and provide it to the school where the research will be conducted
6. Readability of parental information - parental permission form, information about the research – should be readable (6th grade reading level preferred). Letters should be no more than 1 page long.
7. Investigators must provide a copy of all surveys and instructional material used in the research to the school and parents. Parents of children involved in the research must be able to inspect these materials upon request within a reasonable amount of time.
8. Investigators must ensure the school in which the research is being conducted must have policies regarding the administration of physical examinations or screenings that the school may administer to students, if applicable.

**FERPA**

* FERPA gives parents certain rights with respect to their children's education records.
* These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."
* Parents or eligible students have the right to inspect and review the student's education records maintained by the school.
* Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
* Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
* Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
* School officials with legitimate educational interest;
* Other schools to which a student is transferring;
* Specified officials for audit or evaluation purposes;
* Appropriate parties in connection with financial aid to a student;
* Organizations conducting certain studies for or on behalf of the school;
* Accrediting organizations;
* To comply with a judicial order or lawfully issued subpoena;
* Appropriate officials in cases of health and safety emergencies; and
* State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

**PPRA**

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98) applies to programs that receive funding from the U.S. Department of Education (ED). PPRA is intended to protect the rights of parents and students in two ways:

* It seeks to ensure that schools and contractors make instructional materials available for inspection by parents if those materials will be used in connection with an ED-funded survey, analysis, or evaluation in which their children participate; and
* It seeks to ensure that schools and contractors obtain written parental consent before minor students are required to participate in any ED-funded survey, analysis, or evaluation that reveals information concerning:
  + Political affiliations;
  + Mental and psychological problems potentially embarrassing to the student and his/her family;
  + Sex behavior and attitudes;
  + Illegal, anti-social, self-incriminating and demeaning behavior;
  + Critical appraisals of other individuals with whom respondents have close family relationships;
  + Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
  + Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents or students who believe their rights under PPRA may have been violated may file a complaint with ED by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of PPRA occurred.

*<Needs to be on school letterhead>*

**SCHOOL PERMISSION TO CONDUCT RESEARCH**

*<Note to investigator: Use this form to obtain permission from schools at which your research is conducted.>*

Date

Dear Institutional Review Board:

The purpose of this letter is to inform you that I give ***<Name of Principal Investigator>*** permission to conduct the research titled ***<Title of Research Study>*** at *<****Name of School>***. The scope of this research applies to the following:

***<List grade, population of students this applies to>***

The duration of this project will be ***<project duration>.***

This also serves as assurance that this school complies with requirements of the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA) (see back for specific requirements) and will ensure that these requirements are followed in the conduct of this research. A brief description of those rights is described in the second page of this letter. By signing this letter you are disclosing you are aware of those rights.

Sincerely,

*<Name of Signatory>*

*<Title of Signatory>*

* The right of a parent of a student to inspect, upon the request of the parent, a survey created by a third party before the survey is administered or distributed by a school to a student. Any applicable procedures for granting a request by a parent for reasonable access to such survey within a reasonable period of time after the request is received.
* Arrangements to protect student privacy that are provided by the researcher in the event of the administration or distribution of a survey to a student containing one or more of the following items (including the right of a parent of a student to inspect, or opt-out of upon the request of the parent, any survey containing one or more of such items): Political affiliations or beliefs of the student or the student’s parent. Mental or psychological problems of the student or the student’s family. Sex behavior or attitudes. Illegal, anti-social, self-incriminating, or demeaning behavior. Critical appraisals of other individuals with whom respondents have close family relationships. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers. Religious practices, affiliations, or beliefs of the student or the student’s parent. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
* The right of a parent of a student to inspect, upon the request of the parent, any instructional material used as part of the educational curriculum for the student. Any applicable procedures for granting a request by a parent for reasonable access to instructional material received.
* The school must have policies regarding the administration of physical examinations or screenings that the school may administer to students.
* Arrangements to protect study privacy in the event the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure, or use.
* The right of a parent of a student to inspect, upon the request of the parent, any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Any applicable procedures for granting a request by a parent for reasonable access to such instrument within a reasonable period of time after the request is received.