THE NEW YORK CITY PUBLIC SCHOOL SYSTEM

- 1.1 million students and their families
- 1,700 schools – Including 69 charter schools authorized by the NYCDOE. Charter schools are publicly funded and open to all students in NYC through a non-discriminatory admissions lottery
- 75,000 teachers
- $24 billion annual budget

THE NYCDOE INSTITUTIONAL REVIEW BOARD

- Established in 1980
- Reviews over 400 new proposals annually
- Meets monthly. Submission deadlines and IRB meeting dates are posted online at http://schools.nyc.gov/Accountability/data/DataRequests.
- The DOE allows researchers to conduct research in the NYC school system when the research meets accepted standards for treatment of human subjects, research design, and ethical practices, and has significance and relevance to the NYC public school system.
SUBMISSION PROCESS

• Continuations: Requests for continuations should be made 6 weeks before expiration date on approval letter. Currently, continuation requests are submitted via email to: IRB@schools.nyc.gov
• Amendments: Changes to research design/methodology during approval year. Same process as for continuations.

Proposal Review and Approval Process

Proposal Submission → Prescreening → PI Notification → Issues → Approved/Disapproved

ALL PROPOSALS ARE REVIEWED: NO EXEMPTIONS

• OHRP recognizes that many institutions’ policies require that all research proposals, even those that are exempt from review under federal regulations, are reviewed by the IRB.
• In such cases, the IRB has jurisdiction over all human subjects research, thereby providing broader protections for subjects than is required by the regulations. (Institutional Review Board Guidebook, OHRP, 2010)
NYCDOE IRB JURISDICTIONAL CONCERNS

In addition to Federal Regulations, the NYCDOE IRB honors several in-house policies and standards relating to:

- Informed consent and assent
- Privacy
- Coercion
- Prioritizing instructional activity
- Burden on school staff
- Convenience sampling

NYCDOE IRB JURISDICTIONAL CONCERNS: INFORMED CONSENT

- The NYCDOE does not approve waiving informed consent for adult research participants, or parent/guardian consent for students
- The NYCDOE specifically encourages active consent be obtained from parent/guardians. Passive consent is approved on a case-by-case basis.
- Language in adult consent forms must be appropriate for a broad range of education levels; translations should be provided when English is not the preferred language.

NYCDOE IRB JURISDICTIONAL CONCERNS: PARENT/GUARDIAN INFORMED CONSENT

- Required for students up to age 21
- Clearly states consent is for research; participation is voluntary; may withdraw at any time
- Confidentiality/anonymity
- Risks/benefits
- No impact on student’s standing (e.g., grades)
- Separate permissions for audio/video taping, student work samples, certain uses of data, DOE data access
NYCDOE IRB JURISDICTIONAL CONCERNS: STUDENT ASSENT

Age-appropriate language and incentives (if offered)
Should address typical student questions/worries:
• Do I have to participate?
• Is this a test? Will it affect my grades?
• What exactly will be expected of me?
• Will my teachers/others see my answers?
• Simple explanation of risks/benefits (Will it hurt?)
• What if I don’t want to answer a question?

NYCDOE IRB JURISDICTIONAL CONCERNS: COERCION

Not only are children legally minors, but they oftentimes are socially and economically disadvantaged. Special attention is paid to potential sources of manipulation and coercion, in particular:
• Recruitment strategies
• Incentives (monetary/non-monetary) for students and their families
• Teachers conducting research with their own students or assisting researchers with data collection

NYCDOE IRB JURISDICTIONAL CONCERNS: PRIVACY

Research reports should not include the identification of schools, students, or DOE staff
DOE (central and school personnel) cannot provide contact information for students, parents, or staff
Researchers may not ask parents/students about:
• medical or psychological conditions, medications
• religious affiliation/beliefs
• illegal or risky behavior
NYCDOE IRB JURISDICTIONAL CONCERNS: PRIVACY

- Researchers may not collect medically-related data from students (i.e., saliva samples, blood samples, heart rate, height/weight, blood pressure, body mass).
- Researchers may not administer assessments that provide researchers with the ability to diagnose/highlight signs of a particular psychological, behavioral or psychiatric nature, (i.e., intelligence, depression, anxiety, attention-deficit)
- The Office of School Health provides guidance to the DOE IRB by reviewing proposals to conduct research in schools and School Based Health Centers.

NYCDOE IRB JURISDICTIONAL CONCERNS: PRIVACY

- Videotaping and photographing vulnerable human subjects such as children raises issues related to anonymity, privacy, respect for human dignity and truly informed consent.
- Videotaping has tremendous potential for misuse, (e.g., reusing tapes for other research projects; displaying on public internet sites without the subject’s consent).
- The DOE distinguishes among: (1) videotaping for teacher training and PD; (2) videotaping for research; and (3) videotaping for public use (approval by DOE Press Office required).

NYCDOE IRB JURISDICTIONAL CONCERNS: PRIVACY

- Researchers may not request school- or individual student-level data from school personnel.
- Explicit parent/guardian consent is required for permission to access DOE identifiable student records
- Requests for identifiable and other student data must be directed to RPSG Data Analytics Team at: Research@schools.nyc.gov.
- Guidelines for submitting data requests can be found at: http://schools.nyc.gov/Accountability/data/DataRequests.
NYCDOE IRB JURISDICTIONAL CONCERNS: PRIORITIZING INSTRUCTION

• Research may not be conducted during instructional time
• Children cannot be taken out of classes for assessments/interviews
• Researchers should consult with principals about when/where to conduct research activities

NYCDOE IRB JURISDICTIONAL CONCERNS: BURDEN ON DOE STAFF

• DOE IRB approval does not guarantee access to any particular school or individual. Researcher is responsible for making appropriate contacts and getting required approval/consents before initiating study.
• Principals/teachers may not identify/recruit participants for researchers
• Teachers may not assist researchers in administering surveys, obtaining parent consents, student assents
• Teachers must approve classroom observations

NYCDOE IRB JURISDICTIONAL CONCERNS: CONVENIENCE SAMPLING

Conducting research in public school sites due to their easy availability, their compromised position, or their manipulability raises ethical issues, particularly with regard to principals outlined in the Belmont Report:
• Respect for individuals
• Equitable distribution of benefits and risks/burdens:
  • Benefits denied without good reason
  • Burden imposed unduly
AFTER A PROPOSAL IS APPROVED

• All key research personnel must be fingerprinted before conducting research in a school building (NYC or Albany)
• Principal makes the final decision whether his/her school will participate in the research
• Approval to Conduct Research in Schools form signed by principal and returned to DOE IRB by researcher
• Research tasks (administering surveys, keeping logs, etc.) are carried out by the researcher, not school staff
• Researchers consult with principal about timing and location of research activities