RESEARCH IN NYC PUBLIC SCHOOLS

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Meeting with Hunter College Faculty and Staff
THE NEW YORK CITY PUBLIC SCHOOL SYSTEM

- 1.1 million students and their families
- 1,700 schools - includes 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

• The DOE allows researchers to conduct studies in the NYC school system PROVIDING 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.

• Research activities cannot compromise student or parent privacy, or disrupt the work of students and school staff

• NO EXEMPTIONS
OHRP regulations concerning when IRB review can be exempted (46.101)

Research conducted in established or commonly accepted educational settings involving normal educational practices

Research involving the use of educational tests, survey procedures, interview procedures or observation of public behavior, unless: (i) information obtained is recorded in such a manner as the human subjects can be identified.

However, many institutions’ human subjects policies provide that all research, even research that is exempt from review under federal regulations, is to be reviewed by the IRB. In such cases the IRB has jurisdiction over all human subjects research, thereby providing broad protections for subjects than is required by the regulations. This is the NYC DOE’s position.
WAIVING OF INFORMED CONSENT

The NYCDOE does not typically approve or encourage the waiving of informed consent. The NYCDOE specifically encourages active/explicit consent. Passive/implicit consent in which failure to ‘opt out’ is interpreted as an affirmative answer is prohibited in most cases.
CRITERIA FOR APPROVAL OF RESEARCH PROPOSALS

• Minimal risk
• Confidentiality/anonymity of all participants including students, parents, and staff (principals, teachers, school-based and other DOE staff)
• Informed consent/assent of participants
• Participation is voluntary
• Participants may opt out without penalty at any time
TYPES OF SUBMISSIONS


• Continuations – Requests for continuations should be made 6 weeks before the expiration date on the IRB approval letter. Currently, continuation requests are submitted via email to IRB@schools.nyc.gov.

• Amendments – Changes to research design/methodology during an approval year. Same process as for continuations.
Proposal Review and Approval Process

- Proposal Submission
- Prescreening
- IRB Review
- PI Notification
  - Issues
  - Approved
  - Disapproved
WHAT SHOULD A RESEARCH PROPOSAL CONTAIN?

• Study title/locations/duration
• If you are a student, faculty advisor endorsement letter
• PI information; list of other key research personnel
• Research sites/subjects and inclusion/exclusion criteria
• Justifications (videotaping; implicit consent; oral assent; more than minimal risk; incentives)
• Connection to DOE program office?
• Will study include an external data request from the DOE?
WHAT SHOULD A RESEARCH PROPOSAL CONTAIN?

• Purpose of research
• Broad overview of research design and methodology
• Research hypotheses or questions
• Educational challenge/significance of the research
• Recruitment strategies and participant burden
• Confidentiality/anonymity (e.g., identified/de-identified data)
• Risks/benefits
WHAT SHOULD A RESEARCH PROPOSAL CONTAIN?

• Data security/disposal plans
• Uses of data
• Informed consent options (explicit/implicit)
• Copies of consent/assent forms
• Principal letter
• Protocols/study instruments
• Human Research Protections Training Certificates
• IRB approval from researcher’s institution
CONSENT FORMS: GENERAL

• Explanation of research purpose/design and procedures
• Study duration; nature/duration of subject’s participation
• Description of procedures for maintaining confidentiality/ anonymity
• Statement that participation is voluntary; no penalty for refusal to participate; subject may withdraw at any time
• Risk to benefit statement
• Contact information for the researcher and his/her institution’s IRB
PARENT/LEGAL GUARDIAN CONSENT FORM

- Required for students up to age 21
- Explicit/active consent in almost all cases
- Research will not disrupt instructional activities
- No impact on grades, other benefits to which student is entitled
- Incentives, if any
- Special permissions (audio/video taping; student work samples; future uses of data)
PARENT/GUARDIAN CONSENT: DATA REQUESTS

• Researchers may not request school- or individual student-level data from school personnel

• Explicit parent/guardian consent for permission to access identifiable student records is required

• 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.
STUDENT ASSENT

• Oral vs. written; witness to assent
• Age-appropriate language and incentive levels
• What will be expected of student?
• Addresses possible student questions/concerns:
  • Is this a test? Will it affect my grades?
  • Will teacher/others know what I say?
  • What if I don’t want to answer a question?
  • What if I don’t want to be in the study even though my parent/guardian said that I could be in the study?
  • Where to turn for help if upset/distressed?
SPECIFIC NYCDOE JURISDICTIONAL CONCERNS AROUND SCHOOL-BASED RESEARCH

In addition to Federal Regulations, the NYCDOE IRB honors several in-house rules and standards with regard to:

- Coercion
- Informed consent
- Videotaping
- Medical and psychological testing
- Convenience sampling
SPECIFIC NYCDOE JURISDICTIONAL CONCERNS: COERCION & INFORMED CONSENT

• Not only are children legally minors, but they oftentimes are also socially and economically disadvantaged. Special attention is paid to potential sources of manipulation and coercion, particularly:
  • Inappropriate Incentives offered to students to participate in research
  • Teachers conducting research with their own students

• The NYCDOE never approves waiving of parent/guardian informed consent and rarely approves the use of implicit consent, also referred to as “opt out” consent
SPECIFIC NYCDOE JURISDICTIONAL CONCERNS: MEDICAL AND PSYCHOLOGICAL TESTING

• Researchers may not collect medically-related data from students (i.e., saliva samples, blood samples, heart rate, height/weight, blood pressure, body mass), or ask about medications.

• Researchers may not administer assessments that provide researchers with the ability to diagnose/highlight signs of a particular psychological, behavioral or psychiatric nature (e.g., intelligence, depression, ASDs).

• Office of School Health, provides guidance to the DOE IRB by reviewing requests to conduct medical research in schools and School Based Health Centers.
SPECIFIC NYCDOE JURISDICTIONAL CONCERNS: CONVENIENCE SAMPLING

Conducting research in school sites due to their easy availability, their compromised position, or their manipulability raises ethical issues, particularly with regard to justice, one of the three principals of the Belmont Report.

- Fairness of distribution of benefits and risks/burdens
- Benefits denied without good reason
- Burden imposed unduly
Researchers may not ask students questions about illegal or risky behaviors -- questions requiring self-incriminating and self-stigmatizing responses, for example:

- Alcohol and drug use
- Weapons (e.g., carrying a handgun/other weapons to school)
- Violence perpetrated against schoolmates and others
- Sexual behaviors

Researchers may not ask students questions about their religious beliefs/affiliations
SPECIFIC NYCDOE JURISDICTIONAL CONCERNS: VIDEOTAPING AND PHOTOGRAPHS

• Videotaping and photographing vulnerable human subjects such as children raises issues related to anonymity, privacy, and respect for human dignity.

• 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, which is never approved by the DOE IRB -- must be approved by DOE Press Office.
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
Are IRB meetings open to the public?
IRB meetings are not open to the public. The information reviewed by the IRB is sensitive and therefore must be considered confidential. Study proposals are the intellectual property of the researchers who develop them and are not in the public domain, therefore the DOE cannot release proposals, consent forms, or other research project materials without the expressed written consent of the Principal Investigator of the study.

Current IRB Members and Their Affiliations:

Mary Mattis, Chair, IRB, Research & Policy Support Group
Anthony Benners, Assessment & Accountability
Mark Cheng, School Performance
Michelle Costa, RPSG
Douglas Coulter, RPSG
John Gonzalez, Performance & Accountability
Alice Goodman, School Wellness Programs
William Hilton, School Performance Team
Anne-Marie Hoxie, Office of Innovation
Thomas Huser, non-affiliated member
Katarzyna Janczura, Research, Accountability & Data

Jessica Kaplan, School Programs & Partnerships
David Laird, State and Federal Evaluation
Alba Langenthal, Office of Assessment
Sonali Murarka, RPSG
Sean Murray, Academics, Performance and Support
Courtney McNally, Office of School Support
Michelle Paladino, RPSG
Michael Preston, Postsecondary Readiness
Dionisio Rodriguez, English Language Learners
Eddie Rubio, RPSG
Barbara Dworkowitz, IRB Coordinator