

ALCOHOL AND YOUR DEVELOPING BRAIN

APPROPRIATENESS OF STUDENT ASSESSMENT QUESTIONNAIRES

Overview. In testing new curricula, it is often extremely helpful for developers to know how students are responding to the experience. Often sought are markers for gains in knowledge of curricular content, reactions to the experience, and possible intended changes in students' beliefs and attitudes. In curricula such as this one, which involve behavioral health education, such responses are particularly valuable. To refine new curricula, developers often use ungraded, voluntary and anonymous student questionnaires to obtain honest student feedback on the impact of the classes, often with an assessment questionnaire at the beginning of the curriculum and another after all the classes have been completed.

Although rare, some schools are extremely sensitive about *any* ungraded testing, the results of which are made available to outside curriculum developers. In the case that your school administrators or parent groups are sensitive about this particular assessment procedure, we wish to present some ethical assurances that you can share with them.

Guarantees of Confidentiality & Other Safeguards. It is important for us that students offer their most relevant and honest feedback on the questionnaires and that there are no adverse consequences of their responses on the questionnaires. Thus, the questionnaires are fully anonymous. We do not ask students to provide their names or any information that could identify them as individuals. Nor do we match the early questionnaires with the final questionnaires by individual. We also hold confidential the identity of participating classrooms, teachers and school districts. [We are, however, happy to provide local class results, in aggregate form, to teachers or administrators on request.] In addition, in order to avoid any discomfort to students, we ask that they be told that their participation is voluntary, although we encourage them to participate. In this spirit, students are able, without penalty, to decline to respond to our questionnaires and to leave blank the answers to any questions with which they feel uncomfortable.

Compliance with Regulations. Because our questionnaires are designed to give feedback on the classes, we do not consider them "surveys" or "research" in the ordinary sense. We do not consider the students as "human subjects." However, even if school personnel or parent groups see this process as "survey research," *official regulations of the U.S. Department of Education specifically exempt our assessment procedures from having to undergo any formal institutional human subjects review.* These regulations are usually mirrored by policies of state departments of education. {We have attached relevant parts of the regulatory codes on the following page.} And especially when using anonymous techniques that do not put students at any risk whatsoever, assessment techniques are usually interpreted as requiring neither active nor passive parental consent.

A Note. In case any of these issues may present a problem in your school district or school, please let us know so that we might provide more information.

REGULATIONS EXEMPTING ACTIVITIES ASSESSING CURRICULA

Note: The following excerpts from federal regulations define what types of testing, research or evaluation can be done under federal funding with and without procedures that ensure the protection of human subjects, including students. Even when federal funding is not involved, the guidelines are considered good practice for studies involving students. Below, you can see which types of studies are exempt from the regulations. That means that institutions or agencies doing these kinds of studies are released from any formal review by an Institutional Review Board for the Protection of Human Subjects. Specifically, this means that active parental consent procedures are not required.

The particular sections that exempt assessment procedures for “Alcohol and Your Developing Brain” are bolded below under paragraph (b). As you can see, testing conducted in normal educational settings involving curricula or instructional techniques is not subject to review. Even for specialized surveys or procedures testing student performance, assessment procedures need not be reviewed as long as they maintain confidentiality and prevent the disclosure of any specific responses would put students at risk. The introduction and pertinent parts of the code follow:

FROM: Code of Federal Regulations (CFR)

Title 34 Education: Subtitle A, Chapter 1,

Part 97---PROTECTION OF HUMAN SUBJECTS

Current as of February 8, 2017

§97.101 To what does this policy apply?

(a) Except as provided in paragraph (b) of this section, this policy applies to all research involving human subjects conducted, supported or otherwise subject to regulation by any federal department or agency which takes appropriate administrative action to make the policy applicable to such research. This includes research conducted by federal civilian employees or military personnel, except that each department or agency head may adopt such procedural modifications as may be appropriate from an administrative standpoint. It also includes research conducted, supported, or otherwise subject to regulation by the federal government outside the United States.

(1) Research that is conducted or supported by a federal department or agency, whether or not it is regulated as defined in §97.102(e), must comply with all sections of this policy.

(2) Research that is neither conducted nor supported by a federal department or agency but is subject to regulation as defined in §97.102(e) must be reviewed and approved, in compliance with §§97.101, 97.102, and §§97.107 through 97.117 of this policy, by an institutional review board (IRB) that operates in accordance with the pertinent requirements of this policy.

(b) Unless otherwise required by department or agency heads, research activities in which the only involvement of human subjects will be in one or more of the following categories are exempt from this policy:

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (i) research on regular and special education instructional strategies, or (ii) **research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.**

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless:

(i) Information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and

(ii) Any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.