

Section 10-7.5:2. Surveys funded by federal government; human research committee established; responsibilities of the Committee; when outcome assessments exempt; definitions. —

A. Surveys, analyses or evaluations conducted as part of any program which is funded by the United States Department of Education or is otherwise subject to policies and regulations promulgated by any agency of the federal government are conducted in accordance with Policy JOB Administration of Surveys and Questionnaires, 20 U.S.C. § 1232h, and applicable federal regulations. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation will be available for inspection by the parents or guardians of the students involved.

B. Any other human research involving students must be approved and conducted under the review of a human research committee established by the school division or the school conducting the research. Such research will be conducted or authorized only after the student and the student's parents or legally authorized representative give their informed consent, as evidenced by a signed and witnessed informed consent form in accordance with Va. Code § 32.1-162.18.

C. The human research committee will be composed of representatives of varied backgrounds to ensure the competent, complete, and professional review of human research activities. No member of the committee may be directly involved in the proposed human research or have administrative approval authority over the proposed human research except in connection with his responsibilities as a member of the committee. In deciding whether to approve proposed human research, the committee will consider the factors listed in Va. Code § 32.1-162.19.

D. Research or student learning outcomes assessments conducted in educational settings involving regular or special education instructional strategies, the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods, or the use of educational tests, whether cognitive, diagnostic, aptitude, or achievement, if the data from such tests are recorded in a manner so that subjects cannot be identified, directly or indirectly, are exempt from the requirements of this policy.

E. Definition: as used in this policy, "human research" means any systematic investigation, including research development, testing and evaluation, utilizing human subjects, that is designed to develop or contribute to generalized knowledge. "Human research" does not include research exempt from federal research regulation pursuant to 45 C.F.R. § 46.101(b).

Legal Authority — Virginia Code §§ 32.1-162.16, 32.1-162.17, 32.1-162.18, 32.1-162.19, 32.1-162.20; 20 U.S.C. § 1232h.