

(November 2001)

DECLARATION OF EXEMPT RESEARCH

This form is provided for researchers who propose to conduct research involving human subjects that is exempt from full IRB review procedures. This form and required attachments must be submitted for CPHS review and approval obtained before the research is begun. If you have questions about the exemption application or review process, please contact the CPHS Office at 642-7461 or subjects@uclink4.berkeley.edu.

To apply for exempt status, complete this form and submit with the following attachments:

- **CPHS APPLICATION COVER SHEET FORM, with required signatures**
- **PROTOCOL MATERIALS (2 copies) - See Sections III and IV**

CPHS GUIDELINES, FORMS and SAMPLE CONSENT MATERIALS are available on-line at <http://cphs.berkeley.edu> and at the CPHS Office, 101 Wheeler Hall.

I. Principal Investigator(s) _____ Date: _____
Department: _____ email: _____
Project Title: _____

II. CITE EXEMPTION CATEGORY (Check all applicable categories and sub-parts below)

PLEASE NOTE: Exemption does not apply if the targeted populations for the research will consist of persons who are legally incompetent, significantly mentally ill or impaired, or those who are vulnerable to extraordinary institutional coercion, such as prisoners, residents of 24-hour nursing facilities or anyone who is involuntarily confined. All procedures for all subjects in a project must be exempt in order for the project to be reviewed for exemption.

1. Educational Practices: Research conducted in established or commonly accepted educational settings, involving normal educational practices such as

- (a) research on regular and special education instructional techniques, or
- (b) research on the effectiveness of, or the comparison among, instructional techniques, curricula, or classroom management methods.

This exemption does not apply to the use of school records of identifiable students or interviewing instructors about specific students.

2. Educational Tests: Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement) is exempt, if:

- (a) in the researcher's private data (including field notes) as well as in any published material, information taken from these sources is recorded in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects; or
- (b) the information, if disclosed outside of the research, could not reasonably place the subject at risk of criminal or civil liability or be damaging to the subject's financial standing, employability, or reputation.

3. Surveying or Interviewing: Research involving survey or interview procedures of adult-aged subjects is exempt if:

- (a) in the researcher's private data (including field notes) as well as in any published material, responses are recorded anonymously and in such a manner that the human subjects cannot be identified, directly or through identifiers linked to the subjects; or
- (b) the responses, if disclosed outside of the research, could not reasonably place the subject at risk of criminal or civil liability or be damaging to the subject's financial standing, employability, or reputation.

This exemption does not apply if the subjects are minor children or other vulnerable participants.

4. Public Observations: Research involving the observations of public behavior, including observation by participants, is exempt if:

- (a) in the researcher's private data (including field notes) as well as in any published material, information taken from these sources is recorded in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects; or
- (b) the information, if disclosed outside of the research, could not reasonably place the subject at risk of criminal or civil liability or be damaging to the subject's financial standing, employability, or reputation.

This exemption applies to research involving minor children only when the investigator does not participate in the activities observed. Workplace meetings and activities, as well as classroom activities, are not considered "public behavior".

5. Public Officials: All research involving educational tests, survey or interview procedures, or public observations is exempt when the respondents are elected or appointed public officials or candidates for public office.

Managers and staff in public agencies are not "public officials" in most cases.

6. Existing Data: Research involving the collection of existing data, documents, records, pathological or diagnostic specimens is exempt, if:

- (a) these sources are publicly available, or
- (b) in both the researcher's private data (including field notes) and in any published material, the information is recorded by the researcher in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

III. Complete this section if you have cited **ONE OR MORE** of the following categories:

Exemption # 1 # 2 # 3 # 4 # 5

- (1) **Prepare a protocol document** containing the following details:
(See EXEMPTION FORM PROTOCOL CHECKLIST or pages 5-7 of the CPHS Guidelines for information on each item below. Guidelines, checklist and all forms available on-line at: <http://cphs.berkeley.edu>)

- **Subjects**
- **Recruitment (category #1, 2, 3 only)**
- **Data collection procedures for all subject groups**
- **Risks**
- **Informed Consent Process - *Include proposed informational and/or consent materials for all subject groups. Signed consent from individual subjects is required if you will quote subjects in final reports, except for subjects who meet CPHS definition of "public official".***
- **Confidentiality Measures – *If data are NOT anonymous to you in all field notes***

ATTACH 2 COPIES OF PROTOCOL and CONSENT MATERIALS TO THIS FORM

- (2) Will you audio tape? _____ Will you videotape? _____ Take photographs? _____

If any of the above apply and these records may be used in other ways in the future, a 'Records Release' form should be included in the proposed consent materials. A sample 'Audio/Video/Photo Records Release Form' is available on the CPHS web site or at the CPHS Office.

IV. Complete this section if you have cited category #6 (**EXISTING DATA**):

- (1) What type of existing data will be used? (circle all that apply)

Documents/records

Pathological Specimens

Other (describe): _____

- (2) Are all data publicly available AND will not contain any personal identifiers or codes linked to identity of the individual?

If **YES to both conditions above**, briefly describe data/specimens and public source:

If **NO to either condition above**, attach **2 COPIES of a memo** containing the following details:

- Identify data set(s) and describe contents
- Source of data - where/from whom it will be obtained. If using another researcher's data, cite the original study and (if known) the IRB approval/review board approvals issued for the original data collection.
- Specify whether or not data will contain any personal identifiers or codes linked to individual identity. If so, explain in more detail.

SUBMIT APPLICATION PACKETS TO: CPHS OFFICE, 101 WHEELER HALL, MC# 1340