

CUNY HRPP Policy: Required Language for Inclusion in Research Informed Consent Form for Research to which GDPR is Applicable

Overview

As referenced in “CUNY HRPP Guidance: Application of European General Data Protection Regulation (GDPR) to Human Subject Research in Which CUNY is Engaged”, the GDPR applies when information is collected or processed from individuals while they are physically located in an European Economic Area (EEA) country. It also applies when personal data collected under the GDPR is transferred from an EEA country to a country outside of the EEA.

The language below is required to be included in informed consent forms and included as an appendix to oral or internet consent forms when the GDPR applies.

General statement

Personal information about you is being collected by CUNY for the purposes set forth in this research “Consent Form”. Your personal information will be retained for the period necessary to fulfill the purposes outlined in the Consent Form or for a longer period as permitted or required by law. Access will be limited to those who need this information to fulfill these purposes.

Rights

Your personal data will be treated in compliance with applicable data protection laws. In addition to being regulated by applicable US laws, if you reside in the European Economic Area during your participation in the research study, your “study data” may also be subject to the protections afforded by the European General Data Protection Regulation (“the GDPR”). Subject to applicable laws, these rights include:

- The right to request access to your personal information that you have provided;
- The right to request that your personal information be corrected if inaccurate;
- The right to request the deletion of your personal data, subject to certain limits regarding the integrity of the study and other legal requirements;
- The right to withdraw consent; even if you withdraw your consent, we will continue to process your personal information as allowed by European Union and/or EEA member state law and as required to comply with regulatory requirements applicable to the conduct of the study.
- The right to file a complaint with a data protection authority. Please notify the CUNY Research Compliance Administrator at 646-664-8918 or email HRPP@cuny.edu if you have a complaint related to the protection of your data in this study.

Data Transfer

Information collected and transferred to the University will take place with the required safeguards to ensure data protection. If you give consent for CUNY to share your data with

another institution, the institution receiving your information will be required to protect your data according to applicable laws.

Special Categories of Personal Data to be Collected

Include the language below if you are obtaining explicit consent to process special categories of personal data – see Section VII of GDPR Guidance

As a participant in this research, the researcher will collect information about you which includes [add applicable categories: information about racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, the processing of genetic data biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation].

By signing this Consent Form, you give explicit consent to the processing of these specific categories listed above.