

## Resource for CUNY Investigators Conducting Research in New York City Public Schools

CUNY researchers who plan to conduct research in the New York City (NYC) public schools are required to receive approval or an exempt determination from the CUNY IRB, and then submit to the NYC Department of Education (DOE) IRB. Any research being conducted in NYC public schools, with students, staff, or affiliates, and/or using NYC DOE data must be reviewed and approved by the NYC DOE IRB to ensure it complies with DOE policies, protects the privacy of students, parents, and staff, and does not disrupt the work of the schools. This applies to both exempt and non-exempt research. In most cases, the NYC DOE IRB will conduct a Research Policy Review to ensure compliance with specific DOE research policies, and the CUNY IRB will serve as the IRB of Record.

- General information for NYC DOE IRB: <https://infohub.nyced.org/working-with-the-doe/research-irb/doing-research-in-new-york-city-public-schools>
- NYC DOE IRB Policy Guide: <https://infohub.nyced.org/docs/default-source/default-document-library/nyc-doe-irb-policy-guide-to-post-august-2023.pdf> (note: if this or subsequent links to the [NYC DOE IRB Policy Guide](#) is broken, please use the General Information link above to find the latest version of the Policy Guide)
- NYC DOE IRB Submission Platform: <https://nycdoe.my.irbmanager.com/Login.aspx>
  - The NYC DOE IRB uses IRBManager. This is the same software used by the CUNY IRB, but requires a separate account. CUNY researchers will not be able to log in to the NYC DOE IRBManager platform using their CUNY Login credentials. All study personnel must create an account in the DOE IRBManager platform, by clicking the DOE IRBManager [link](#) and following the process to register (see section 4.3 of the [NYC DOE IRB Policy Guide](#))
  - The NYC DOE IRBManager accounts that the CUNY personnel create must be linked to their CUNY email address.
  - CUNY researchers will need to identify the CUNY HRPP contact on their NYC DOE IRBManager applications as the contact for the IRB of Record. The CUNY Office of Research has created an account in IRBManager so that CUNY researchers can identify the CUNY HRPP on their IRB applications. The account email address is [HRPP@cuny.edu](mailto:HRPP@cuny.edu).
  - CUNY researchers should create their NYC DOE IRBManager account before submitting to the CUNY IRB in order to review requirements and gain access to the NYC DOE consent and assent form templates.
  - If a CUNY researcher is a DOE employee, they must contact the NYC DOE Ethics Officer, Ms. Samantha Biletsky ([SBiletsky@schools.nyc.gov](mailto:SBiletsky@schools.nyc.gov)), prior to submitting to the NYC DOE IRB to determine if a Conflict of Interest Exemption is required for the proposed research. Note that the DOE rarely permits DOE staff to conduct research in their own school or with students, parents, teachers, or other staff that are under the supervision of or in a position of subordination to any member of the study team (see section 5.1.5., Conflicts of Interest Board, in the [NYC DOE IRB Policy Guide](#)).
- CITI Training: [www.citiprogram.org](http://www.citiprogram.org)
  - CUNY and NYC DOE each require CITI training in Human Subjects Research. CUNY researchers must affiliate in CITI with the NYC DOE in addition to CUNY and make sure to complete the requirements under each affiliation. CUNY requires that CUNY researchers use their CUNY email address as the primary email address in CITI. NYC DOE IRB also requires that the institutional email address used to create the NYC DOE IRBManager account is also the primary email address used in CITI (see sections 5.1.5., CITI Training, in the [NYC DOE IRB Policy Guide](#)).

### Specific Requirements for CUNY Researchers to Consider:

The NYC DOE has specific policies and requirements that must be considered when a CUNY researcher intends to conduct research in NYC public schools, with NYC public school students, teachers or administrators, and/or using NYC DOE data. Because both CUNY IRB approval/exemption and NYC DOE IRB approval will be required, CUNY researchers should be aware of the following and include relevant information and materials as part of their CUNY IRB submission (see section 5.1. of the [NYC DOE IRB Policy Guide](#)).

1. Scope of the CUNY IRB application and the NYC DOE IRB application:
  - a. *In the CUNY IRB application:* clearly details all procedures, locations, populations, records review, etc.
  - b. *In the NYC DOE IRB application:* clearly details only procedures, locations, and populations that are relevant to the NYC DOE, or are under the auspices of the NYC DOE. If the research is broader than just procedures to be carried out in or with NYC DOE locations or subjects, please ensure that the submission to the NYC DOE IRB captures only details that are applicable to the jurisdictional concerns of the NYC DOE IRB.
2. Specific DOE and other policies and requirements to consider in designing your study: (see the [NYC DOE IRB Policy Guide](#))
  - a. Be aware of the NYC DOE IRB requirement that the research must demonstrate value to the DOE, either by justifying why the research needs to happen in NYC public schools, or by providing a letter of support from a District Sponsor (see section 5.1.5 of the [NYC DOE IRB Policy Guide](#)). Questions or concerns about this requirement can be directed to [HRPP@cuny.edu](mailto:HRPP@cuny.edu).
  - b. Be aware of the requirement to submit a Data Request to the NYC DOE for using individual-level student administrative data (requested from the NYC DOE or in a CUNY researcher's possession through their work with students as an NYC DOE employee) related to The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) and The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98) (see section 5.1.7. of the [NYC DOE IRB Policy Guide](#)). The CUNY researcher may need to obtain a DOE District Sponsor to qualify for a [FERPA exception](#). More information is available from the NYC DOE [Data Requests FAQ](#)
  - c. Be aware of NYC DOE IRB procedure policies, requirements and limitations for recruitment (section 5.2.3. of the [NYC DOE IRB Policy Guide](#)).
  - d. Be aware of NYC DOE IRB requirements for conducting school or classroom observations (section 5.3.2. of the [NYC DOE IRB Policy Guide](#)).
  - e. Be aware of NYC DOE IRB requirements for compensation (section 5.3.6. of the [NYC DOE IRB Policy Guide](#))
  - f. Review all other stipulations, limitations, guidance, and policies outlined in the [NYC DOE IRB Policy Guide](#).
3. Consent and Assent forms:
  - a. **All researchers are required to use NYC DOE consent/assent form templates when creating consent/assent forms for their research.**
  - b. The DOE templates are available within the NYC DOE IRBManager system.
  - c. These documents should be attached to the CUNY IRB application for review and approval.
  - d. The CUNY IRB-approved documents should be included in the NYC DOE IRB application.
  - e. All mature adult consent forms must be drafted in lay language and must not exceed an 8th grade reading level.

- f. All assent forms must be age-appropriate.
  - g. All parental consent forms must be written using language appropriate for the subject population with whom they will be utilized.
4. Study Materials:
- a. As a general rule, anything said to, read to, sent to, given to, or otherwise planned to be used with prospective study subjects must be provided to the IRB for review.
  - b. All study materials must be attached as individual clearly-labeled documents. Do not attach documents with unusual characters or symbols in the file name (such as "|").
  - c. It is strongly recommended that all attachments be submitted in PDF or Word format only.
  - d. All study materials to be used with prospective study subjects must include a CUNY email address and contact information. Do not use personal/non-professional email or telephone contact information.
  - e. Attach all required documents to the application. Do not attach any placeholder documents if required documents are unavailable at the time of submission. Attachment of placeholder documents will significantly delay processing. Attach ONLY the documents that correspond to the applicable field (e.g. recruitment flyers only in the recruitment attachments field).
5. Principal Permission Letter
- a. The Principal Permission Letter is separate from the letter of support from a District Sponsor referenced in 2.a. above
  - b. CUNY researchers will be required to attach a draft of a permission letter that will be sent to the Principal(s) of any intended involved schools for their signature (unless Principals are the only subjects)
  - c. The Principal Permission letter must provide detailed information about the research design/methodology, recruitment processes, participant burden, confidentiality/anonymity, risks/benefits and uses of the data and must include a signature/date line that includes the title of the study, the NYC DOE IRB protocol number, and the name of the school.
  - d. This draft letter should be included as part of the CUNY IRB application and as part of the NYC DOE IRB application.
  - e. If Principals are also subjects, a separate consent form must be provided in addition to the Principal Permission Letter.
  - f. Approval by the NYC DOE IRB does not guarantee access to any particular school, individual or data. The PI is responsible for making appropriate contacts and getting the required permissions and consents before initiating the study.
6. Study Personnel:
- a. All study personnel must be identified on the submission.
  - b. All study personnel must have completed the required NYC DOE CITI training at the time of submission to the NYC DOE (the certificates will be automatically attached if the emails match in CITI and the NYC DOE IRBManager).
  - c. *In the NYC DOE IRB submission:* Indicate which personnel will require school access. Additional personal information, as well as fingerprinting and background checks, will be required of staff who intend to enter schools, interacting with students virtually or in person, and/or access student or teacher direct identifiers (see section 5.1.5., Security Clearance and PETS, of the [NYC DOE IRB Policy Guide](#)).
7. Documentation of CUNY IRB approval or exemption:
- a. CUNY IRB approval or exemption is required before submitting an application to the NYC DOE IRB.
  - b. Documentation of CUNY IRB review and approval must be attached to the DOE IRB application, as well as a copy of the protocol submitted to the CUNY IRB. Please see page 19

of the [PI Manual](#) for instructions on creating a pdf of the completed protocol xForm and page 30 for instructions on downloading the CUNY IRB approval letter.

8. Timeline considerations

- a. Applications to the NYC DOE IRB will be returned if they do not include documentation of value to the DOE. For dissertation studies, if the student is a current DOE employee, a letter of support is not required because a DOE employee gaining advanced education is a value in itself.
- b. Full board review by the NYC DOE IRB is required for studies involving direct data collection from students, and may be required for studies involving direct data collection from adults if the NYC DOE IRB determines that the study potentially poses increased risk to participants.
- c. For studies proposing to use individual-level student data, the CUNY researcher must submit and receive approval of a Data Request, and CUNY must approve the data Non-Disclosure Agreement (see CUNY [Research Agreements](#) for more information).

**Changes Requested During NYC DOE IRB Review and Subsequent Amendments:**

1. Any and all changes required by the NYC DOE IRB must be submitted as an amendment to the CUNY IRB for review and approval in CUNY IRBManager. This should take place after the NYC DOE IRB has formally cleared your protocol. Documentation of approval for these changes must be provided to the NYC DOE IRB as an Amendment submission in NYC DOE IRBManager.
2. After approval has been obtained from the CUNY IRB and the NYC DOE IRB, any proposed changes or additions to the protocol, study personnel, materials (including translated versions of approved materials), etc. will require an Amendment to the CUNY IRB and, once approved by the CUNY IRB, to the NYC DOE IRB.

**Maintaining Compliance with CUNY and DOE Requirements:**

This guidance document is intended to support CUNY researchers who wish to conduct research in NYC public schools or with public school students, teachers or administrators. CUNY researchers are reminded that human subjects research conducted in NYC public schools or with public school students, teachers or administrators is subject to both CUNY and DOE requirements and policies. Familiarity with and a commitment to adhering to both CUNY and DOE requirements and policies will facilitate a smoother review process and enable compliance.

**Useful Links:**

- CUNY Human Research Protection Program: <https://www.cuny.edu/research/research-compliance/human-research-protection-program>
- CUNY College HRPP Coordinators: <https://www.cuny.edu/research/research-compliance/human-research-protection-program/hrpp-coordinators-list>
- CUNY IRB inbox: [HRPP@cuny.edu](mailto:HRPP@cuny.edu)
- NYC DOE IRB: <https://infohub.nyced.org/working-with-the-doe/research-irb/doing-research-in-new-york-city-public-schools>
- NYC DOE IRB inbox: [IRB@schools.nyc.org](mailto:IRB@schools.nyc.org)
- CUNY IRBManager: <https://cuny.my.irbmanager.com>
- NYC DOE IRBManager: <https://nycdoe.my.irbmanager.com/Login.aspx>