

Exemption:

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as:

- (i) Research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.
 - a. Any educational techniques that may pose risk to subjects will not be accepted as an exemption status.
 - b. This is up to the discretion of the head of the IRB.

(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
- (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.

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior that is **not exempt** under paragraph (2) of this section, if:

- (i) The human subjects are elected or appointed public officials or candidates for public office
- (ii) Federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

(5) Research and demonstration projects which are conducted by or subject to the approval of department or agency heads, and which are designed to study, evaluate, or otherwise examine:

- (i) Public benefit or service programs
- (ii) Procedures for obtaining benefits or services under those programs
- (iii) Possible changes in or alternatives to those programs or procedures
- (iv) Possible changes in methods or levels of payment for benefits or services under those programs.