



Guidance and Procedure: Research Involving Students and/or Conducted in Educational Settings (last updated October 17, 2012)

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Overview & Applicability

This guidance outlines federal, State, and University requirements related to human research that involves students and/or is conducted in an educational setting.

Family Educational Rights and Privacy Act (FERPA)

Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education (ED). FERPA regulates the disclosure of Personally Identifiable Information from youth Education Records in all public elementary and secondary schools, school districts, intermediate education agencies, state education agencies, and any public or private agency or institution that uses funds from ED. The purpose of FERPA is to protect all student and parent information maintained in an Education Record.

Researcher Responsibilities: Researchers are responsible for complying with FERPA laws when accessing student education records for research purposes, including for the purpose of identifying and recruiting potential research participants and conducting secondary analysis of the records. Additional information about FERPA requirements is outlined in [UCLA OHRPP Guidance: Family Educational Rights and Privacy Act \(FERPA\)](#).

Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98), a.k.a., “Student Rights in Research, Experimental Programs, and Testing”), applies to programs and institutions that receive funding from the U.S. Department of Education (ED). PPRA is intended to protect the rights of parents and students.

Parent Consent Requirement for Eight Protected Information Surveys: The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires schools to notify parents and obtain consent or allow the parent to opt his/her child out of participating in certain school

activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

Requirements for Institutions that Receive ED funding: PPRA requires that schools that receive ED funding develop and adopt policies in conjunction with parents regarding the following:

- The right of a parent of a student to inspect, upon the request of the parent, a survey created by a third party before the survey is administered or distributed by a school to a student.
- Any applicable procedures for granting a request by a parent for reasonable access to such survey within a reasonable period of time after the request is received.
- Arrangements to protect student privacy that are provided by the agency in the event of the administration or distribution of a survey to a student containing one or more of the eight PPRA “protected information surveys” (including the right of a parent of a student to inspect, upon the request of the parent, any survey containing one or more of such items).
- The right of a parent of a student to inspect, upon the request of the parent, any instructional material used as part of the educational curriculum for the student.
- Any applicable procedures for granting a request by a parent for reasonable access to instructional material received.
- The administration of physical examinations or screenings that the school or agency may administer to a student.
- The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure, or use.
- The right of a parent of a student to inspect, upon the request of the parent, any instrument used in the collection of personal information before the instrument is administered or distributed to a student.
- Any applicable procedures for granting a request by a parent for reasonable access to such instrument within a reasonable period of time after the request is received.

Researcher PPRA Responsibilities:

- Obtain parental consent prior to conducting survey, analysis or evaluation of the eight protected areas defined above.
- Communicate with the institution(s) where research will be conducted to ensure that the institution has developed PPRA-compliant policies regarding review of instructional materials; privacy for protected information surveys; physical examinations or screenings; and collection, disclosure, or use of personal information for marketing purposes.

UCLA IRB PPRA Responsibilities: Ensure that parental consent or opt out is required for research protocols that involve student survey, analysis, or evaluation in one or more of the eight “protected information survey” areas.

UCLA students

[UCLA Policy 991, "Protection of Human Subjects in Research"](#), stipulates that all non-UCLA researchers involved in Human Subjects Research projects that access any UCLA students must submit an application for Administrative Review to the UCLA OHRPP/IRB for a determination of whether proposed Research involving Human Subjects falls within the UCLA OHRPP/IRB's jurisdiction and requires IRB review and approval or Certification of Exemption from IRB review.

[UCLA Policy 220, "Disclosure of Information From Student Records"](#) outlines federal and state requirements and guidelines regarding protection of students' right of privacy, and the conditions under which researchers can obtain personally identifiable information from University records.

See the [UCLA OHRPP Guidance: Special Subject Populations: Students and Employees](#) for more information about suggested procedures to reduce the possibility of unintended coercion when researchers propose to recruit students from their own classes.

School Approval and Documentation Requirements

School approval: UCLA researchers must obtain *letters of permission* from all elementary, middle, or high schools at which human subjects research will be conducted, even if the school is not *engaged* in the research. A letter of permission should be on school letterhead, and be signed by the school principal or alternate school official who can speak on behalf of the school and provide permission for the conduct of the research at their site.

School district approval: UCLA researchers must obtain approval from the Los Angeles Unified School District (LAUSD) for any research which is conducted in one or more school(s) in the district. UCLA researchers must consult other school districts to identify requirements to conduct research in the districts.

Record of approval: UCLA researchers are responsible for maintaining copies of school and district approvals in the research files, available at any time for audit by the UCLA IRB/OHRPP.

Regulations & References

Federal Regulations

- [34 CFR 98](#)
- [45 CFR 46](#)

UCLA

- [UCLA OHRPP Guidance and Procedure: FERPA](#)
- [UCLA OHRPP Checklist: Additional Requirements for Research Supported by ED](#)
- [UCLA Policy 991, Protection of Human Subjects in Research](#)
- [UCLA Policy 220: Disclosure of Information From Student Records](#)

U.S. Department of Education (ED)

- [Protection of Pupil Rights Amendment \(PPRA\) Information Page](#)
- [Recent Changes Affecting FERPA & PPRA, April 2002.](#)