

## Exemption Categories Checklist

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

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

**Exemption 2:** Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, *unless*:

(1) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects and

(2) 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.

Studies using survey or interview procedures with children (under the age of 18) as subjects are NOT exempt.

**Exemption 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 (b)(2) of this section, if:

(1) the human subjects are elected or appointed public officials or candidates for public office; or

(2) federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

**Exemption 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.

\*Note: Existing means all must have already been collected or available PRIOR to the project submission to the IRB. Please identify the specific materials utilized in your Methods and Procedures description and provide your data collection sheet or a complete description of your data elements/variables. If information is publically available, please provide evidence in your project description.

**Exemption 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:

- (1) Public benefit or service programs;
- (2) Procedures for obtaining benefits or services under those programs;
- (3) Possible changes in or alternatives to those programs or procedures; or
- (4) Possible changes in methods or levels of payment for benefits or services under those programs

**Exemption 6:** Taste and food quality evaluation and consumer acceptance studies,

- (1) if wholesome foods without additives are consumed or
- (2) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture.

SOURCE 45 CFR 46 sec 101b.