

Exempt Review Categories

Exempt Category 1– Research in Educational Settings

Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as: (a) research on regular and special education instructional strategies; or (b) research on the effectiveness of, or the comparison among, instructional techniques, curricula, or classroom management methods. (45 CFR §46.101[b][1])

Exempt Category 2 – Tests, Surveys, Interviews, Observation of Public Behavior

Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior, **unless:** (a) information obtained is recorded in such a manner that the human participants can be identified, directly or through identifiers linked to the participants; and (b) any disclosure of the human participants' responses outside the research could reasonably place the participants at risk of criminal or civil liability or be damaging to the participants' financial standing, employability, or reputation. (45 CFR §46.101[b][2])

(NOTE: Survey and interview research involving children cannot be designated as Exempt from Review. Observation of public behavior research involving children, however, can be designated as Exempt from Review only when the investigator does not participate in the activities being observed.)

Exempt Category 3 – Tests, Surveys, Interviews, Observation of Public Behavior Part 2

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 Category 2 above if: (a) the human participants are elected or appointed public officials or candidates for public office; or (b) federal statute requires without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter. (45 CFR §46.101[b][3])

Exempt Category 4 – Use of Existing Records

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 participants. (45 CFR §46.101[b][4])

Exempt Category 5 – Public Benefit/Service Programs

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: (a) public benefit or service programs; (b) procedures for obtaining benefits or services under those programs; (c) possible changes in or alternatives to these programs or procedures; or (d) possible changes in methods or levels of payment for benefits or services under those programs. (45 CFR §46.101[b][5])

Exempt Category 6 – Consumer Acceptance

Taste and food quality evaluation and consumer acceptance studies: (a) if wholesome foods without additives are consumed; or (b) 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 Environment Protection Agency or the Food Safety and Inspection Service of the U. S. Department of Agriculture. (45 CFR §46.101[b][6])