Submitting an Application to the Institutional Review Board (IRB)

This guide helps Charter Collaborative grantees prepare clear and compliant IRB submissions for research involving charter schools and legally protected student data. The guidelines cover common IRB requirements, FERPA considerations, consent, and data security standards.

I. IRB Requirements for Education Research

Researchers should engage their IRB early and obtain approval before beginning any study activities. Early engagement can identify potential compliance issues and reduce project delays.

In general, IRB committees review education research projects under one of two IRB review categories. **Exempt IRB protocols** typically apply to studies that pose minimal risk to participants and do not collect or use personally identifiable information (PII). *Researchers should confirm their institution's definition of exempt research, as interpretations vary.*

Comprehensive IRB protocols apply to studies that may pose a material risk to participants and require formal IRB review. Charter school research often requires a comprehensive review because it involves private student information that could cause reputational or material harm if disclosed.

Review timelines differ by institution and review type. For example, a comprehensive review can take four to eight weeks, or longer if the protocol requires revisions. The exempt review process is typically shorter. Researchers should build IRB review into project timelines before approaching schools or agencies for data, since IRB approval must precede data collection.

When the study partners span more than one institution, researchers may need to navigate multiple IRBs. Institutions may each conduct their own review, or they may enter a reliance agreement in which one institution's IRB serves as the single IRB of record. Researchers should identify early which institution will serve as the lead IRB, confirm that the other participating institutions accept reliance agreements, and document each site's participation in the protocol. Researchers should also confirm the IRB obligations of any data providers or practitioner partners on the study team.

II. FERPA Considerations

The Family Educational Rights and Privacy Act (FERPA) is a federal law that gives parents the right to access their children's education records, seek amendments to those records, and control the disclosure of PII from education records. FERPA permits disclosure of PII from education records to researchers, without individual consent, in three circumstances: for (1) developing, validating, or administering predictive tests; (2) administering student aid programs; and (3) improving instruction. Under this FERPA exemption, researchers are classified as parties acting for the educational agency.

Researchers must develop a FERPA-compliant data use agreement (DUA) to obtain student PII. The DUA must specify the study's purpose, the scope and duration of data use, protections against unauthorized disclosure, and a timeline for data destruction (see MIT Charter School Agreement Template). In most cases, researchers establish DUAs with individual charter schools or charter management organizations (CMOs), as well as with districts or state agencies that hold additional student data. *In some cases, nonprofits, districts, or states also control access to lottery records. In those cases, researchers need only to establish a DUA with the nonprofit, district, or state.*

Researchers usually need to include the DUA in their IRB protocol submission. Researchers should clearly describe FERPA compliance in the IRB protocol and all supporting materials.

III. Consent

FERPA compliance does not replace IRB consent requirements. IRB consent requirements apply to all human subjects research, regardless of whether FERPA governs the data. In charter school research using only existing administrative data, a **waiver of informed consent** is often appropriate. The Common Rule allows IRBs to grant consent waivers when four criteria are met:

1. The research must pose minimal risk to participants.
2. The waiver must not adversely affect participants' rights or welfare.
3. Researchers cannot practically conduct the study without the waiver.
4. Researchers must provide additional information to participants when appropriate.

Example justification for a waiver of consent: "*We request a waiver of informed consent for all students. All analyses on students will be conducted on secondary data that were collected in the absence of this study. The study will involve minimal risk to subjects, with the primary risk being disclosure of student information. The risk is minimized by our use of deidentified data in our analysis and of data security procedures to protect the confidentiality of subjects. The research could not practically be carried out without the waiver, as we do not have contact information for our subjects. Moreover, the study will involve more than 400,000 participants, making it practically difficult and costly to collect consent. This will not affect the rights and welfare of the subjects as all data use is permissible under FERPA.*"

If the research does not meet the waiver criteria or if the research expands to include surveys, interviews, or other direct contact with participants, researchers must obtain **full informed consent** from study participants. Researchers should request an approved consent form template from their IRB, if possible.

IV. Data Security and Confidentiality

IRB applications usually require researchers to describe the data handling and security procedures in detail. IRB reviewers typically look for practices that protect student confidentiality, including:

- The research only collects the data necessary to answer the research questions
- Secure storage practices (e.g., encrypted servers, password protection)
- Data access is limited to authorized research personnel
- Secure methods for receiving and transmitting student data (e.g., secure file transfer protocols, file encryption).
- Removal of identifiable information from analytic datasets, whenever possible
- Clear timelines for data retention
- Secure data destruction procedures
- Results are only presented in aggregate form
- Potential re-identification of participants is prevented in reports or publications (e.g., censor small sample sizes)

V. Common IRB Challenges in Charter School Research

Several issues can delay or complicate IRB approval for charter school research. First, researchers sometimes **assume that FERPA-permitted data use automatically satisfies IRB requirements**. IRBs still require clear explanations of risk, consent, and confidentiality. Second, researchers may provide **insufficient detail about data security practices.** IRB committees often request specific descriptions of how researchers store, transmit, restrict access to, and destroy student data.

Third, **overly broad data requests** can raise concerns during IRB review. Researchers should request only the data necessary to answer the stated research questions and justify the inclusion of each data element. Fourth, **weak justifications for consent waivers** can delay approval. When seeking a waiver of consent, researchers should explicitly address each Common Rule criterion. Fifth, it is common to **underestimate the time required to secure institutional approvals and data use agreements.** Delays in obtaining approvals from schools, CMOs, districts, or states slow the IRB process and the overall research timeline.

For questions about preparing IRB applications for your research, please reach out to Niamh McLoughlin, Research Manager, MIT Blueprint Labs (niamhmc@mitblueprintlabs.org) or sign up for virtual office hours here.