

STUDENT SUBMISSION TO PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATIONS, TESTING OR TREATMENT HUMAN RESEARCH

~~Surveys, analyses or evaluations conducted as part of any program which is funded by the United States Department of Education or is otherwise subject to policies and regulations promulgated by any agency of the federal government shall be conducted in accordance with Policy KFB, Administration of Surveys and Questionnaires, 20 U.S.C. §1232h, and the applicable federal regulations. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation will be available for inspection by the parents or guardians of the students involved.~~ the Commonwealth of Virginia or Albemarle County, to submit, without prior consent, to psychiatric or psychological examination, testing or treatment, in which the primary purpose or practical effect is to reveal information concerning:

- ~~(1) — political affiliations;~~
- ~~(2) — mental and psychological problems potentially embarrassing to the student or his/her family;~~
- ~~(3) — sex behavior and attitudes;~~
- ~~(4) — illegal, anti-social, self-incriminating and demeaning behavior;~~
- ~~(5) — critical appraisals of other individuals with whom respondents have close family relationships;~~
- ~~(6) — legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; or~~
- ~~(7) — income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).~~

Any other human research involving students must be approved and conducted under the review of the human research committee established by the school division or the school conducting the research. Such research will be conducted or authorized only after the student and the student's parents or legally authorized representative give their informed Prior consent to any such psychiatric or psychological examination, testing or treatment means the prior written consent, as evidenced by a signed and witnessed informed consent form in accordance with Va. Code § 32.1-162.18. The human research committee will submit to the Governor, the General Assembly, and the Superintendent of Public Instruction or his/her designee at least annually a report on the human research projects reviewed and approved by the committee. The report will state any significant deviations from the proposals as approved. of the student's parent or guardian or, if the student is emancipated, of the student. Any such examination, testing or treatment within the definition of human research shall be conducted in accordance

~~with Section 22.1-16.1 of the Code of Virginia.~~

The human research committee will be composed of representatives of varied backgrounds to ensure the competent, complete, and professional review of human research activities. No member of the committee may be directly involved in the proposed human research or have administrative approval authority over the proposed human research except in connection with his/her responsibilities as a member of the committee. In deciding whether to approve proposed human research, the committee will consider the factors listed in Va. Code § 32.1-162.19.

Research or student learning outcomes assessments conducted in educational settings involving regular or special education instructional strategies, the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods, or the use of educational tests, whether cognitive, diagnostic, aptitude, or achievement, if the data from such test are recorded in a manner so that subjects cannot be identified, directly or indirectly, are exempt from the requirements of this policy.

Definition: As used in this policy, herein, “human research” means any systemic investigation, including research development, testing and evaluation, utilizing human subjects, that is designed to develop or contribute to generalized knowledge. “Human research” does not include research exempt from federal research regulation pursuant to 45 C.F.R. § 46.101(b). the terms psychiatric or psychological examination, testing or treatment are intended to have their ordinary and customary meaning which refers to a recognized medical or therapeutic discipline practiced by licensed professionals. These terms do not include ordinary classroom activities or teaching techniques.

Adopted: July 1, 1993

Amended: June 26, 2003

Legal Ref.: 20 U.S.C. §

~~Va. Code of Virginia, 1950, as amended, §§ sections 22.1-216.1, and 32.1-162.16, 32.1-162.17, 32.1-162.19, 32.1-162.20, as amended;~~

~~8 VAC 20-565-30.10 et seq., as amended~~

8 VAC 20-565-40.

8 VAC 20-565-50.