

## **Dual Credit and Early College High School Subjects**

### **TCCD Institutional Review Board (IRB) Research Policy and Guidance**

#### **Dual Credit**

The purpose of Dual Credit (DC) is to allow eligible high school students to enroll in college courses and high school classes receiving both high school and college credit. Students can experience college-level courses at either the student's high school or Tarrant County College while continuing with their regular schedule. Participation in the dual credit program allows students to gain insight into the college academic experience and possibly shorten the time required to complete an associated or baccalaureate degree. Generally, students in 9th – 12th grades are eligible to participate in Dual Credit. (*Source: Dual Credit Manual*)

#### **Early College High School**

Early College High Schools (ECHS) are usually located on or near a college campus and provide high school students who might not otherwise consider attending college the opportunity to graduate with a high school diploma and 60 college credit hours.

A tuition-free model blends **high school** and **college** coursework, (*Source: TCCD ECHS website*)

DC and ECHS students straddle the line between what a high school student is and what a college student is. But first and foremost, they are high school students and often minors in age.

#### **If a student under 18 is enrolled in both high school and a local college, do parents have the right to inspect and review his or her education records?**

If a student is attending a postsecondary institution - at any age - the rights under FERPA have transferred to the student. However, in a situation where a student is enrolled in both a high school and a postsecondary institution, the two schools may exchange information on that student. If the student is under 18, the parents still retain the rights under FERPA at the high school and may inspect and review any records sent by the postsecondary institution to the high school. Additionally, the postsecondary institution may disclose personally identifiable information from the student's education records to the parents, without the consent of the eligible student, if the student is a dependent for tax purposes under the IRS rules.

#### **Who is an eligible student?**

An "eligible student" means a student who has reached the age of 18 or who is attending a postsecondary institution at any age. Once a student becomes an "eligible student," the rights afforded his or her parents under FERPA transfer to that student.

Source: 20 U.S.C. § 1232g(d)

Regarding the definition of an "eligible student" in a dual credit/early college high school. The TCCD IRB will follow the guidance contained herein along with deferring to specific ISD(s) policy for individuals impacted by the proposed research study when appropriate (i.e. environment is a K-12 setting).

### **Jurisdiction in research with DC/ECHS students**

Regarding: “The main question is still- if the researcher is doing research on dual-credit students as a community college or university do they need just a champion at the college of higher education or do they need the High School to be involved first? Who should this person contact first the IRB at the school district, the IRB at the Community College or both?”

The school district and the community college roles in approving and/or facilitating the study, the local details matter. The Federal regulation does not address that matter of sequencing. Note that if the Federal Common Rule applies, the matter of whether the school district will be a “research site” or will actually be “engaged in research” arises. In a study funded by a Common Rule agency, any entity that is “engaged in covered research” must have a Federal Wide Assurance (FWA) which is issued by the Office for Human Research Protections (OHRP) at the Department of Health and Human Services (HHS) and approval by an IRB that is registered with OHRP. (Guidance on what constitutes “engagement in research” is posted on the ED website link that is included in my signature block below).

If IRB approval is required, note that a single OHRP registered IRB could provide approval of the study for both the community college and the school district if they agreed to handle it that way in a documented communication.

Depending on those specifics (e.g. school district and community college policies), the researcher may need approval by both the school district and the community college to meet those local requirements. The matter of “which comes first” is likely to be a local matter determined by local requirements and norms. The Federal regulation doesn’t address that matter.

Assuming that there will be future studies that involve collaboration of the school district and the community college (and perhaps other entities), this study may provide an opportunity to establish or clarify those cooperative procedures and facilitate future research involving the community college and the school district.

*(Source: Jeffery W. Rodamar*

*Protection of Human Subjects Coordinator*

*U.S. Department of Education March 20, 2017)*

### **Who has jurisdiction and whose IRB should be contacted?**

The IRB of the institution with whom the researcher is affiliated has jurisdiction. Other IRBs only if other institutions are “engaged in the conduct of research” (not merely collaborating with the researcher). For more information on this issue, see our engagement guidance at <https://www.hhs.gov/ohrp/regulations-and-policy/guidance/institutional-issues/index.html>.

### **Treat DC/ECHS as if they are a member of the more vulnerable population.**

Approach the High School first. Get permission for an assent process for the parents and students. Then go to the college and develop a consent process.

Ask all subjects to do both, as well as opt-in and self-identify. That way no one can accuse you of leaving a gap for a 17 year old to join the study without parental buy in.

*(Opinion: John L. Bucek, MD, FAAFP*

*Chair of IRB*

*Robert Wood Johnson University Hospital Somerset)*

### **If this is research as defined by regulation**

If this is indeed human subject research as defined in regulation, I believe that it qualifies for exemption (category #1). As such, no informed consent is required and the IRB can advise the researcher on how best to structure the study. The question of FERPA and PPRA is not a matter for the IRB. This is the responsibility of the schools/institutions to govern. This sounds like very minimal risk research (if research), so no “champion” required. Access to students and/or student records will be governed by the policies of each institution. This is a matter between the researcher and the institutions, not the IRB.

*(Opinion: Thomas Coggins*

*Director*

*Office of Sponsored Awards Management & Research Compliance*

*University of South Carolina)*

### **Embedded DC/ECHS courses on a High School campus**

My experience is the students are high school students taking a class at their high school that has been deemed equivalent to a college course and thus they can receive college credit and high school credit for completion of the work. They are high school students, so the high school principal and any other entity in the ISD who typically grants permission for inclusion in research must be contacted.

*(opinion: Robin Broussard, Ph.D.*

*Director, Office of Research Integrity*

*Office of the Vice President for Research, Innovation, and Economic Development*

*University of Louisiana at Lafayette)*

### **Embedded Dual Credit and Early College High School Students in TCCD Classes**

It is not an uncommon occurrence for minor students to be embedded in a regular TCCD class with their college peers and not just be enrolled in sections that are exclusively DC or ECHS students. In a K-12 setting, PPRA guides distribution of surveys to students. How does one handle the distribution of a survey to a class with both college students and embedded DC/ECHS students?

TCCD Legal Counsel has provided some guidance.

Legal Counsel they have no problem with posing a survey to minor students when personal information is not solicited, nor are there any contractual obligations. If it would be helpful to have requests for demographic information, etc. in a survey's questions you'll need the consent of minor students' parents/guardians.

### **Grapevine /Colleyville GCISD policy on student research**

I recommend that you send the original documents of the research proposal. I will be checking with GCISD's legal counsel about this and will forward your email. I also will be checking with other GCISD personnel about interest in GHS students participating.

GCISD's practice is to restrict student participation in research projects conducted by third parties. However, as you mention, this situation is out of the norm due to the dual role of the instructor.

*(Source: Paula Barbaroux, Chief Operations Officer, GISD)*