



OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject:

Research Proposals

Section – Policy Number:

E: Information Management – 1.3

Supersedes:

I-E-1.3 03/04
I-E-1.3 06/03

Effective Date:

12/23/2011

Date of Last

Review:

11/01/2023

Related Standards and References:

- [OAR 416-170](#) (Approval of Research Proposals)
- American Correctional Association: *Standards for Juvenile Correctional Facilities*; 4-JCF-6F-06 (Research Activities)
- [U.S. Department of Health and Human Services Office for Human Research Protections](#)
- OYA form: [YA 9300](#) OYA Research Committee Proposal Application
- [JJIS policy](#): III-A-1 Granting Access to JJIS and JJIS Data
- [JJIS form](#): 4E External Partner Access Request
4R Research Data Extract Request


Related Procedures:

- None

Policy Owner:

Research Manager

Approved:


 Colette S. Peters, Director

I. PURPOSE:

This policy governs research activities involving all OYA youth, including those placed under supervision in the community and in OYA facilities.

II. POLICY DEFINITIONS:

Executive Team: An executive-level group that provides oversight of agency operations.

OYA Research Committee (ORC): OYA committee comprised of OYA staff and external partners, overseen by the OYA Research Manager.

Youth: A person in the legal and physical custody of the OYA, either in an OYA facility or placed in the community under supervision; or a person in the legal custody of the Department of Corrections and the physical custody of OYA in an OYA facility.

III. POLICY:

In many instances, OYA programs and services produce information and offer opportunities that could be used to support biomedical and behavioral research projects. The express consent of OYA, in accordance with the guidelines defined by this policy, must be obtained prior to involving youth in OYA custody or information gathered from agency records to support research projects. The express consent of the Department of Corrections (DOC) must also be obtained prior to conducting any research involving youth in the legal custody of DOC and the physical custody of OYA.

This policy governs such activities involving all OYA youth, including those placed under supervision in the community, or in OYA facilities.

IV. GENERAL STANDARDS:

- A. OYA will consider research proposals that benefit the agency or juvenile corrections as a whole, including:
1. Studies of the possible causes of criminal behavior, and effects of incarceration;
 2. Studies of close-custody systems or treatment programs as institutional structures or of young people as incarcerated persons;
 3. Research on conditions particularly affecting youth as a class (for example, research on social and psychological problems such as alcoholism, drug addiction, or sexual assaults); and
 4. Research on practices, both innovative and accepted, that have the intent and reasonable probability of improving the health or wellbeing of the subject.
- B. OYA Research Committee (ORC)
1. Proposals or requests for information related to research projects that are received by local offices or facilities must be referred to the ORC.

The field supervisor or facility superintendent/camp director will indicate a willingness or lack of willingness to participate in the project.
 2. The ORC will:
 - a) Represent the agency's facilities, programs, stakeholders, and youth, and include persons with the technical knowledge and ability to review project methodology and outcomes;
 - b) Develop procedures by which research proposals are reviewed in a timely manner;

- c) Review all research proposals and submit recommendations for approval or denial to the OYA Research Manager;
- d) Refer proposals that require OYA policy decisions to the Executive Team, as appropriate;
- e) Provide notification of approved research projects, including a copy of the approved informed consent or assent form, to relevant OYA programs or facilities;
- f) Maintain a complete and current list of all research projects approved by OYA;
- g) Review the resulting data or project report and recommend to the Executive Team whether a disclaimer is necessary; and
- h) Assist in the development of a project summary for distribution to the agency.

C. The ORC will ensure the risk posed to subjects is minimal and participation in the research project will represent no more than an inconvenience.

- 1. Treatments, therapies, and procedures used in the project must be generally recognized and accepted as therapeutic.
- 2. The ORC will consider the nature and purpose of the project, the risk and anticipated benefit to the youth, and the youth's age, maturity, status, and condition.
- 3. If the project requires the assignment of youth to control groups that may not benefit from the research, the proposal will include discussion regarding the ethical considerations to support the research.
- 4. The ORC will ensure the project requestor has had the project reviewed by a human subjects review committee (Institution Review Board, IRB), and documentation of such is attached to a YA 9300 (OYA Research Committee Proposal Application) form.

D. The ORC will ensure the project requestor is aware of OYA's right to review the compilation of data or completed report describing project outcomes prior to publication, and may require a disclaimer if it believes assumptions about the data are flawed.

E. Informed Consent

Youth participation in research projects is voluntary. The ORC will ensure the research project has been reviewed by an IRB and will follow the requirements regarding consent determined by the IRB. The ORC will

ensure the requestor makes adequate provisions to obtain each youth's assent or consent to participate, according to the IRB recommendations.

1. OYA may provide consent for youth less than age 18 (minors).

The ORC must ensure youth assent is given for minors, where "assent" means an affirmative agreement to participate and not mere failure to object.

2. If a requestor's IRB requires parental/guardian consent, OYA Research staff will work with the requestor to facilitate an appropriate consenting process.
3. Youth 18 years of age and older may consent to their own participation.
4. The ORC may allow youth between 15 and 17 years of age to consent to their own participation in the following circumstances:

- a) There is the potential of benefit to the youth;
- b) Procedures involved in the research are not substantially different in their risks or benefits from existing treatment for which the youth would by state law be able to consent;
- c) Parental consent is not in the best interest of the youth, is extremely difficult to obtain or would not be possible to obtain; and
- d) The research otherwise meets the federal requirements for research with children (see [U.S. Department of Health and Human Services Office for Human Research Protections](#)).

F. When proposals involve DOC youth in the physical custody of OYA, the ORC will ensure DOC approval is also obtained.

G. Youth confidentiality will be maintained.

1. Copies of OYA records may not be taken from official files. Identifying information about a specific youth may not be included in the research report(s).
2. OYA Research staff must ensure the requestor returns to OYA any data provided to the requestor by OYA.

H. Project approval

The ORC may recommend agency approval of research projects only if it deems the proposal meets the general standards listed above and the following criteria:

1. The proposal is submitted on a YA 9300 form (OYA Research Committee Proposal Application).

2. The project has been reviewed and approved by a human subjects review committee (IRB).
3. The research question is relevant and of importance to OYA.
4. Project implementation will not cause undue expense or use of agency resources, or compromise safety or security, the agency mission, or state or federal laws. The ORC must consider possible effects on facilities and programs (including effects on participating staff and youth) when evaluating proposals.
5. Project participation advantages are not of such magnitude to affect a youth's ability to weigh the risks of the participation against the advantages while in the limited-choice environment within facilities or programs.
 - a) Such advantages include general living conditions, medical care, food quality, amenities, and opportunity for earnings.
 - b) Proposals must clearly indicate if participating youth will receive payment for their involvement in the project. The ORC must weigh the effects of such payment when considering approval of the project.
6. The risks involved in the research must be commensurate with the risks that would be accepted by nonadjudicated or nonconvicted persons.
7. Procedures for selection of subjects within the facility or program must be fair to all youth and immune from arbitrary intervention by facility or program personnel, or other youth.

Control subjects must be selected randomly from the group of available youth who meet the characteristics needed for the particular research project, unless there is written justification for following another process.
8. Project information must be presented in language that is understandable to the subject population.
9. Adequate assurance of the youth's participation in the project will not affect the youth's release or privilege status.

V. LOCAL OPERATING PROTOCOL REQUIRED: NO