

109 CMR: DEPARTMENT OF YOUTH SERVICES

109 CMR 10.00: SOCIAL SCIENCE RESEARCH BY OUTSIDE AGENCIES OR PERSONS

Section

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10.01: Purpose and Scope

109 CMR 10.00 establishes the rules governing research conducted by outside persons or agencies, within programs regarding youth detained by or committed to the Department.

- (1) The Department supports research by qualified persons or agencies which will contribute to a better understanding of various aspects and activities of the Department and to understanding the causes and prevention of delinquency.
- (2) The Department does not support and will not allow research to be conducted with youth detained by or committed to the Department that exposes research subjects to the possibility of physical, psychological, or other harm as a consequence of their participation in the study.
- (3) The Department shall have a formal application process for any person seeking to complete science research within the Department's programs or regarding youth detained by or committed to the Department.
- (4) 109 CMR 10.00 shall not apply to requests for de-identified aggregate data or other information that would otherwise be considered a public record pursuant to M.G.L. c. 4, § 7(26).
- (5) The Department shall publish a procedural handbook setting forth the requirements and expectations for researchers and their projects. This procedural handbook will be approved by the Commissioner and reviewed annually by the Department to ensure such procedures reflect best practices and the requirements set forth in 109 CMR 10.03.

10.02: Applicability

109 CMR 10.00 applies to all persons and/or entities that conduct research within or relating to the Department of Youth Services and the youth who are or who have been detained by or committed to the Department.

10.03: Definitions

Internal Review Board. The board created by the Department to oversee and approve the direction and implementation of research by outside entities or persons.

Research. Scientific, educational or other studies for a public purpose involving the use of interviews, questionnaires, and reviews of case records of youth who are or who have been detained by or committed to the Department.

10.04: Application to Conduct Research

Any individual(s) or agency wishing to conduct research involving youth detained by or committed to the Department shall provide the following information to the Internal Review Board (IRB).

- (1) The name, address and telephone number of the principal researcher and of all research staff;

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- (2) An endorsement by a recognized research organization such as a university, private foundation, non-profit agency, consulting firm or public agency certifying that the research is for scientific, educational or other public purposes;
- (3) A summary of the goals of the research, including how research requiring direct contact with youth will have demonstrable benefits for the youth involved with the Department or youth generally;
- (4) A description of the research design, including procedures for data collection, procedures to protect the privacy of the youth and confidentiality of any Youth Records as defined in 109 CMR 3.03: *Definitions* to which the researcher may have access, details of any compensation to be paid to the youth;
- (5) Written assurance the researcher assumes all financial liability for the expenses of carrying out the research;
- (6) Written assurance the researcher will submit all research and findings to the Department's IRB for review prior to releasing any research or findings in any form, including but not limited to presentation, publication, news release or paper submission;
- (7) Written assurance the researcher will include a written statement issued by the Department regarding the Department's disagreement with the research and/or its findings in any presentation, publication, news release or paper submission;
- (8) Written assurance no files, documents or photos will be copied or removed from the premises where they are furnished to the researcher, unless prior written approval is obtained from the Department;
- (9) Written assurance any evidence of improper care, child abuse, neglect, or any unanticipated problems involving risk to youth or others uncovered by the researcher will be reported immediately to the Department;
- (10) Written assurance the researcher will provide written reports regarding the progress of the research and of any preliminary and final findings to the Department.
- (11) Written assurance no publication will identify any youth by name or other recognizable characteristic.
- (12) Written assurance the researcher shall promptly report to the IRB any proposed changes to the approved research activity and agrees that any such proposed changes to the approved research activity will not be initiated without IRB review and written approval.

10.05: Conduct of Research

- (1) The principal investigator shall provide a clear and comprehensive explanation of the study to all potential subjects and obtain informed consent from all participants, including that of a legal guardian for any youth younger than 18 years old.
- (2) All youth shall be informed that their participation in the research is purely voluntary and that participation or nonparticipation will not affect any of the terms of their detention or commitment.
- (3) The Department reserves the right to terminate any research activity that jeopardizes the health, safety or welfare of any individual participant or program.

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10.06: Compensation of Subjects

- (1) No compensation, remuneration or payment of any kind shall be given to any youth in connection with a research study without the express written approval of the Department.
- (2) No employee of the Department shall receive compensation, remuneration or payment of any kind from any research project conducted in accordance with 109 CMR 10.00.

REGULATORY AUTHORITY

109 CMR 10.00: M.G.L. c. 18A and c. 120, §§ 2 and 4.