FROM CHART 2

Does the research involve **only** the use of educational test, survey procedures, interview procedures, or observation of public behavior?

- **NO**
- **YES**

**YES**

Does the research involve children to whom 45 CFR 46 part 46, subpart D applies?

- **NO**
- **YES**

**YES**

Does the research involve survey procedures, interview procedures, or observation of public behavior where the investigator participates in the activities being observed? [45 CFR 46401(b)]

- **NO**
- **YES**

**NO**

Research is exempt under 45 CFR 46.101(b)(2) from all 45 CFR part 46 requirements

**YES**

Research is **NOT** exempt under 45 CFR 46.101(b)(2)

However, the 45 CFR 46.101(b)(3) might apply

Are the human subjects elected or appointed public officials or candidates for public office? (Applies to senior officials, such as mayor or school superintendent, rather than a police officer or teacher)

- **NO**
- **YES**

**YES**

Research is exempt under 45 CFR 46.101(b)(3) exemption from all 45 CFR part 46 requirements

**NO**

Research is **NOT** exempt under 45 CFR 46.101(b)(2) or (b)(3)

Does the information being obtained recorded in such a manner that human subjects can be identified directly or through identifiers linked to the subjects; **AND** could any disclosure of the human subjects' responses outside the research reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation?

- **NO**
- **YES**

Adapted from http://www.hhs.gov/ohrp/policy/checklists/decisioncharts.html#c4