

**Title:** Waiving Parental Permission

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**Description:** A researcher asks his institution's IRB to grant a waiver of parental permission for a study on adolescent drug use and sexual activity.

**Headings:** Decision-making Capacity, Assent, and Surrogate Permission; Waiver of parental permission; Minors (children, adolescents)

**Case Type:** Decision making

### **Waiving Parental Permission**

A researcher is planning to conduct interviews to learn about the relationship between injection drug use and high-risk sexual behaviors among street youth ages 12-18. He plans to ask subjects about their knowledge, attitudes, and beliefs about heroin, where they get/buy their drugs, how they use heroin, their sexual practices, and their knowledge and practice of safer sex. Access to this population will be gained through locations where the youth hang out, including a youth drop-in center, a coffee shop, and a park where they meet to use injection drugs, as well as a local needle exchange clinic.

The researcher knows from the literature that many of these adolescents are homeless, and those who may not be homeless often come from violent or neglectful homes. The adverse environments in which these adolescents live may make obtaining parental consent impossible in the case of those children who are estranged from their parents and difficult or dangerous for those living with their parents.

The researcher believes that obtaining parental consent is not in the best interest of these adolescents. Parental notification of the purpose of the study might place the child at psychosocial or physical risk. The researcher asks the IRB for a waiver of parental consent, citing 1) infeasibility (i.e., the research cannot be practically carried out without the waiver, either because parents cannot be contacted or because participants would not assent); and 2) potential harm to adolescents who may have strained relationships with their parents (i.e., requiring parental consent does not reasonably protect the welfare of minor research participants). Although the study will ask about private information and information about illegal activities that could put subjects at risk with the law, risks associated with the research clinical interview are not greater in and of themselves than those the youth would ordinarily encounter during the performance of routine physical and psychological tests.

**You are an IRB member reviewing this protocol. Do you grant a waiver of parental permission, and if so, under what conditions?**