

# Statewide Longitudinal Data System

## Data Request Outline

### Purpose

This document contains general guidelines for receiving, processing and responding to data request received by the Statewide Longitudinal Data System (SLDS).

The National Center for Education Statistics (NCES) published the *Forum Guide to Supporting Data Access for Researchers*. It can be found at <http://nces.ed.gov/pubs2012/2012809.pdf>.

### Responsibilities of SLDS Committee

The SLDS Committee is the governance body of the SLDS. As outlined in North Dakota Century Code (15.1-02-18), the SLDS Committee “shall set policy and adopt rules relating to access to and the collection, storage and sharing of information.” The Committee may “authorize studies to benefit and improve workforce training and education.”

The SLDS Committee will act on behalf of the state agency(s) that generates or provides the data. The SLDS will not provide data to other state agencies or external entities without consent of the originating agency(s). The SLDS Committee will also act as mediator between originating agencies and resolve data disputes.

The SLDS Committee will also act to resolve data disputes between agencies. More detail can be found in the *General Data Governance* document published by the SLDS Committee.

### Responsibilities of Information Technology Department (ITD)

ITD is the technical body of the SLDS. As outlined in North Dakota Century Code (15.1-02-18), ITD “shall maintain a statewide longitudinal data system among education, workforce, and training entities.”

ITD acts as a neutral third party and works as an extension of the agencies providing data to the SLDS. This neutrality allows ITD to house various agency data in a single data system. ITD is able to receive identifiable data from multiple agencies, perform matching algorithms, and provide results to requesting agencies without compromising privacy.

ITD employees that have access to data systems must undergo yearly data security training and sign a non-disclosure agreement.

### Responsibilities of State Agency or Program Area that Provides Data (Originating Entity)

The State Agency providing the data:

- Is responsible for the accuracy, quality, completeness, and timeliness of the data
- Will sign the general SLDS data sharing agreement
- Will sign a specific data sharing agreement (if needed <sup>1</sup>)
- Will review incoming data request
- Will review outgoing data reports prior to release

### Responsibilities of Requesting Entity

An entity requesting data:

- Will sign a specific data sharing agreement (if needed <sup>1</sup>)

<sup>1</sup> A specific data release agreement may not be needed depending on the data exchanged

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- Will explain the purpose of the request
- Will comply with data exchange rules set forth by the SLDS and/or the agency that originally supplied the data. These include (but are not limited to):
  - o Format of data supplied by requesting entity
  - o Secure transfer protocols
  - o Responsibilities outlined in the data release agreements
- Provide the SLDS and/or the agency that originally supplied the data with any output reports prior to expanded release for verification

### Data Request Phases

The SLDS will make every effort to comply with data requests, but due to the volume of requests and limited resources currently available, the following phased approach will be implemented until greater capacity can be built. The timeframes are general guidelines with estimated dates. The dates will be adjusted as needed depending on the volume of requests and internal capacity.

#### **Phase 1: Jul 2012 – Jun 2013**

- Federally mandated State Fiscal Stabilization Fund (SFSF) reports
- Federally mandated reports requiring data from multiple state agencies
- Reports outlined in the current project plan

#### **Phase 2: Jul 2013 – Jun 2014**

In addition to those listed in Phase 1

- Additional report requests received during project implementation

#### **Phase 3: Jul 2014 - forward**

In addition to those listed in Phase 2

- External research request

### Access to Data in the SLDS – Non-Authenticated Users

In accordance with the Family Educational Rights and Privacy Acts (FERPA) regulation 34 CFR Part 99 Subpart D; paragraph 99.31; the state may disclose personally identifiable information without prior consent. Specifically:

- 99.31(a)(1) – “legitimate educational interest”
- 99.31(a)(5) – “authorized by State statute”
- 99.31(a)(6) – “conducting studies for the educational agency”

**Note:** *The ‘educational agency’ mentioned above refers to the agency that owns or provides the data to the SLDS (i.e. the school district). The ‘study’ and disclosure of data must be authorized by the owner of the data (or in some cases multiple owners).*

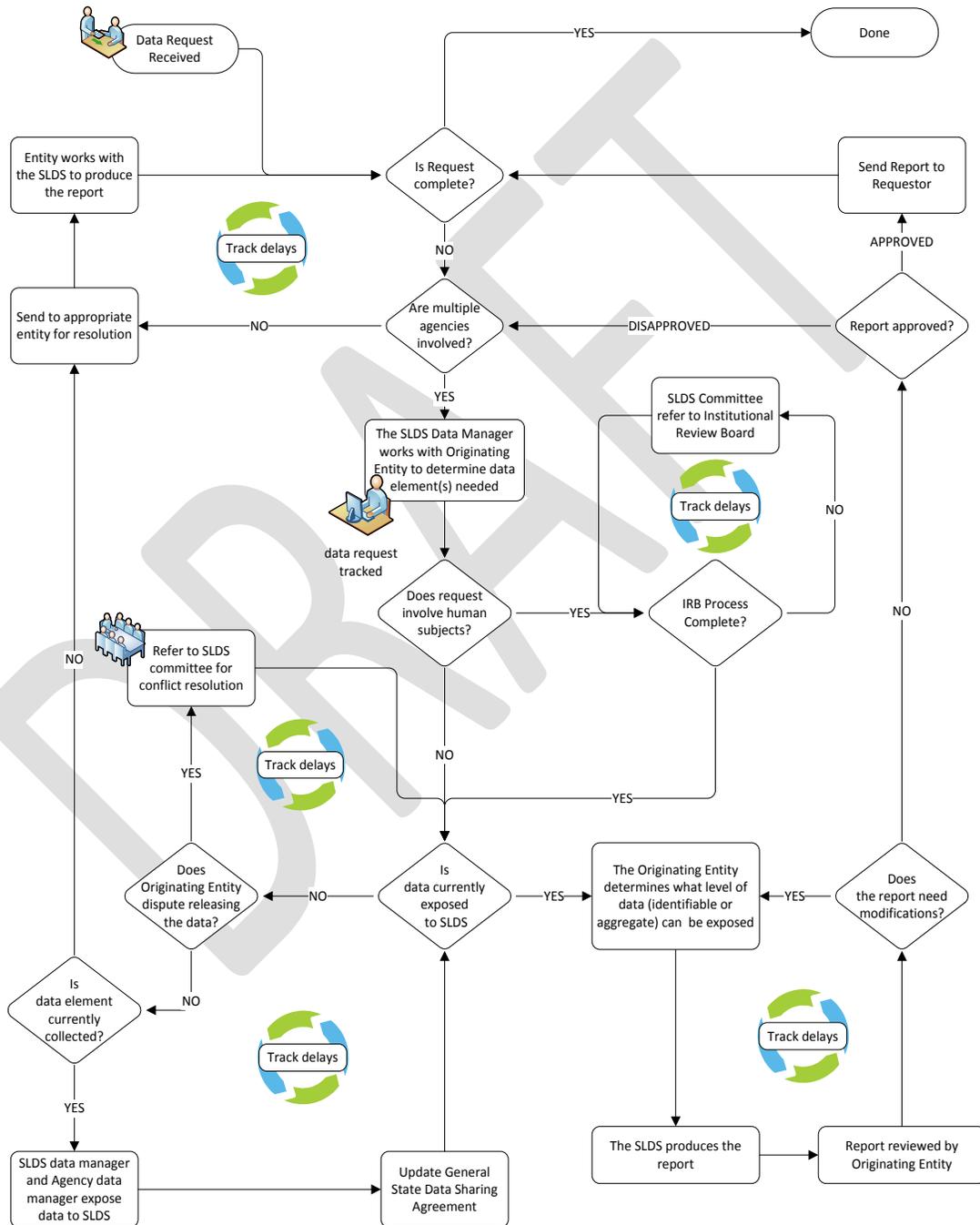
The SLDS may grant access to educational data to support an educational purpose as long as privacy, confidentiality, and security are ensured. Authorization at this level is for the sole purpose of increasing the existing body of knowledge about North Dakota education. This request will be considered on a case-by-case basis to determine if the request is in accordance with federal and state laws. The release of student data to researchers outside the agency is considered a loan of data (i.e., the recipients do not have ownership of the data). Researchers will be required to destroy the data once the research is completed.

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Recipients/users of the requested confidential data must sign a Data Release Agreement that indicates agreement to abide by the procedures for protection of individually identifiable student/teacher information. If permission is granted, the SLDS Committee shall receive a copy of any analysis or reports created with data from SLDS. Data access provisions may change if mandated by federal statute, state law, or administrative rules.

### Data Request Process



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### Receiving Data Request

When a data request is received by the SLDS, the SLDS data manager determines the agency(s) or program area(s) responsible for the data (the originating agency). If the request involves only a single agency, the request can be referred to that entity for resolution.

The SLDS data manager then works with the originating entities to determine what data is needed to satisfy the request.

### Types of Data Request

A data request can be divided into three general categories:

**Match a data set** – A requesting entity provides a data set to be matched against an internal data set. Based on the match, additional information is added to the external data set and provided back to the requesting entity.

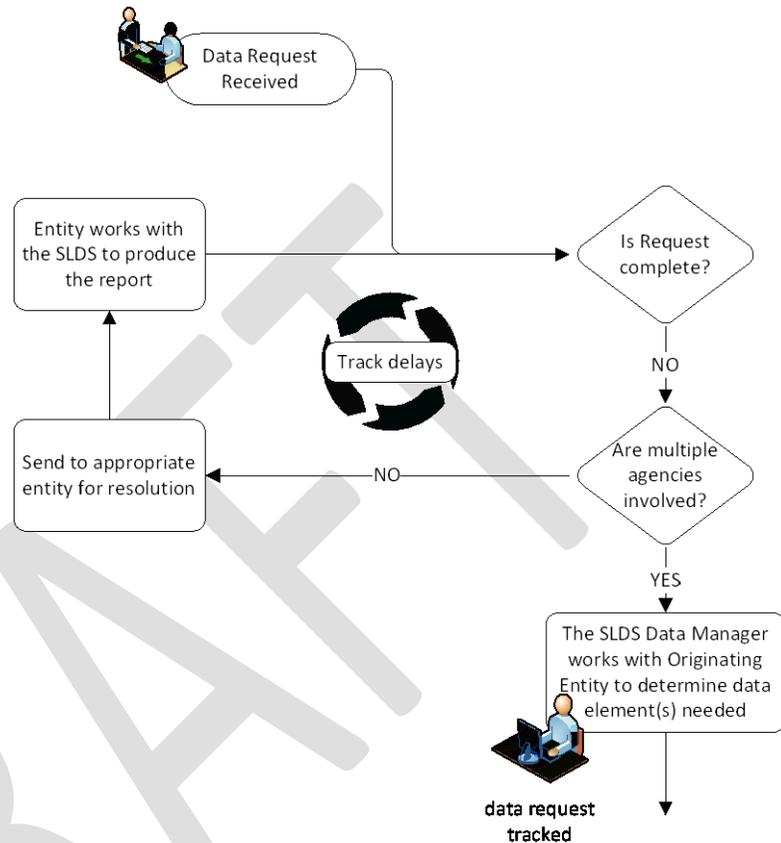
**Provide result** – An external entity request that the internal agency perform research and/or manipulation of the internal data set and provide the results.

**Provide raw data** – An external entity requests a raw data set so they can do research and/or manipulation of an internal data set.

If the request involves multiple agency data sets, the work should be done by ITD at the request of the agencies providing the data. If only one agency's data set is involved, the agency can use the SLDS to complete the request.

*Data Governance Note:* ITD is a neutral third party because they can be 'contracted' by individual agencies and therefore fall under the data rules and regulations of that agency. Due to the neutrality of ITD they are able to see identifiable data from multiple sources, match data sets and produce reports without revealing the underlying identifiable information.

*Data Governance Note:* To ensure accuracy and consistency of information, there should be a single source of data. All reports (whether generated by ITD or the owning agency) should all be sourced from a single data repository.



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If the resulting report or data contains identifiable information, a data release must be signed by the agency that provides the data and the entity that requested the data prior to release.

If the resulting report or data does not contain any identifiable information, a data release is not needed. The release of the report must still be authorized by the agency that provided the data. This can be done by means of an email or a signed memo from an authorized representative of the agency.

### Tracking Data Requests

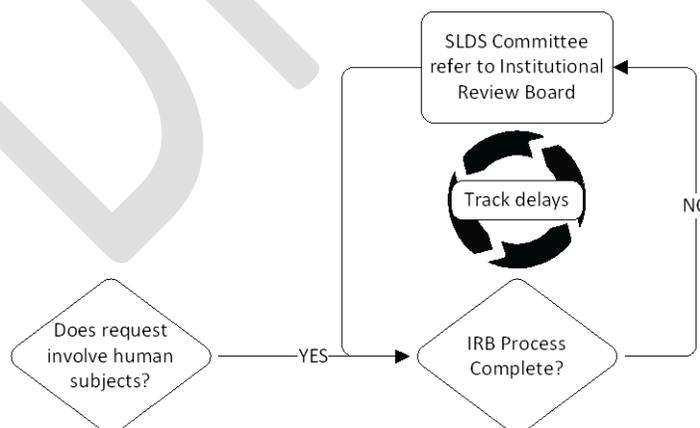
The data request should be tracked. The request tracking mechanism should contain the following information:

- Who requested the report/data
- When the request was received
- When the request needs to be completed
- Priority of the request (this is determined by the SLDS data manager in conjunction with the requesting agency data manager)

The request tracking system should be updated as the request moves through the process. It should document delays to completion of the request. It should also show approval by data manager or data steward from the owning agency or program area.

### Institutional Review Board (IRB)

If the data request involves human subjects, the research needs to be reviewed by an institutional review board (IRB). An IRB, also known as an independent ethics committee or ethical review board, is a committee that has been formally designated to approve, monitor, and review biomedical or behavioral research involving humans. They often conduct some form of risk/benefit analysis in an attempt to determine whether or not research should be done. The number one priority of IRBs is to protect human subjects from physical or psychological harm.

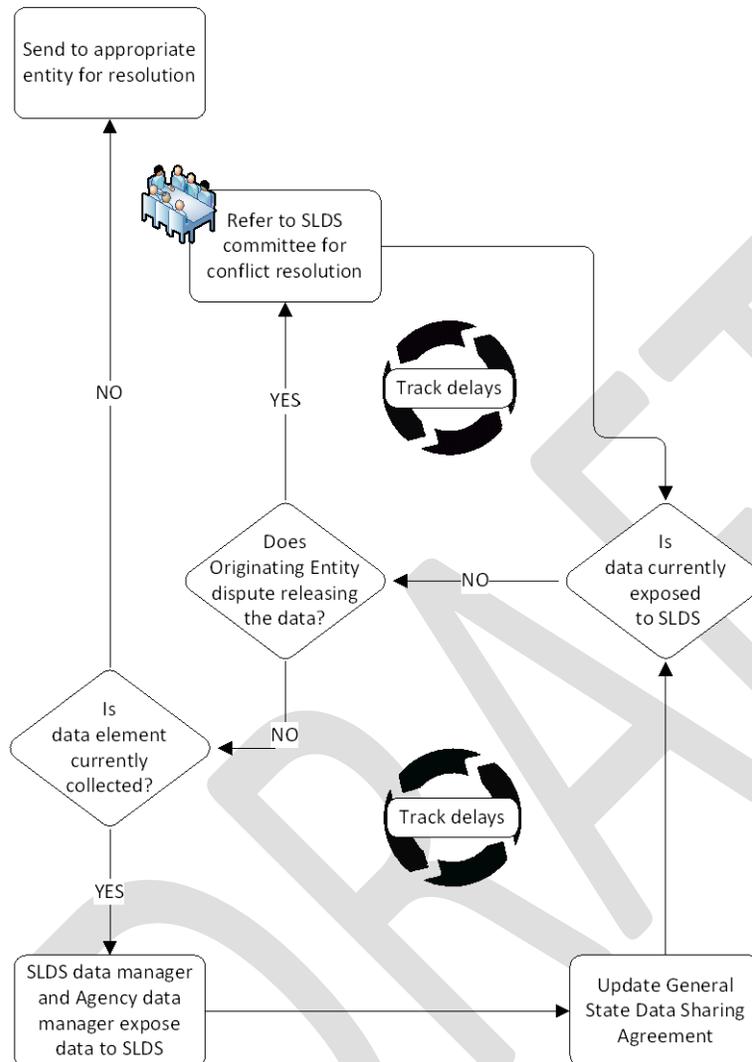


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### Exposing Data to the SLDS

The data needs to be exposed to the SLDS to complete the request.



If the originating entity is not able to supply the data, the SLDS Committee steps in to resolve the conflict. Refer to the *General Data Governance* for more details on this process.

If the data is not collected or not in a condition to be exposed (non-reliable or incomplete), the request is referred to the appropriate entity for resolution.

If new data is released to the SLDS, the General State Data Sharing Agreement attachment outlining the agency data elements will need to be updated.

This process continues until agreeable data is exposed to the SLDS.

### Drafting the Report / Supplying the Data

The originating entity will determine what level of data can be exposed and draft a Specific Purpose Data Sharing Agreement.

More detail can be found in the *General Data Governance* document published by the SLDS Committee

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### Sections of a Data Release Agreement

Each agency that supplies data to the SLDS must comply with state and federal policies for their specific area. A data release agreement must satisfy those guidelines and should have the following sections:

**Purpose of the agreement** – The section should answer questions about the request, for example,

- What is the purpose of the study
- How will the data will be used
- What are the expected outputs or reports
- Who is the educational agency or institution conducting the study
- Who are the intended recipients of the study

**Description of data** – Describe the data elements to exchanged, when they are to be exchanged, and the frequency of exchange

**Period of agreement** – Describe the start and end dates of the agreements

**Data protection measures** – Describe the following:

- How the requesting entity will ensure the data are properly protected (both technically and procedurally)
- When and how the data will be disposed of or returned to the originating entity once the purpose of the agreement is met
- How the receiving entity will notify the originating entity of data losses or breaches in security

### Review the Report

The originating entity will review the report before the report is released to ensure accuracy and verify that it complies with data privacy rules. If not, it is referred back to the SLDS to rework. This process continues until an agreeable report is produced.

The approval is documented and the report is released.

