My School DC Process and Requirements to Conduct Research or Obtain Confidential Data

All Information for requesters is included herein.

Complete proposals and all inquiries must be submitted to:

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Washington, DC 20004
data.myschooldc@dc.gov

A. Purpose

Setting Standards for Research Requests

My School DC has developed this document to establish the requirements for requesters seeking authorization from the Common Lottery Board to receive non-public data My School DC has deemed confidential, personal, and private (Confidential Data), and ensure compliance with federal and District of Columbia laws and regulations.

Confidential Data are:

1. Any applicant records submitted to My School DC, including school rankings.
2. Any applicant records which contain Personally Identifiable Information, as that term is defined by 34 CFR 99.3 of the Family Educational Rights and Privacy Act;
3. Aggregate data constructed from applicant records comprising a group size of fewer than ten individuals.

B. Introduction

My School DC welcomes high-quality research with My School DC data and we strive to create the conditions for research that is respectful of individual privacy.

My School DC welcomes partnerships with the research community that appreciably benefit My School DC, its applicants, and participating schools, to the extent that their findings and results will be shared with My School DC to improve upon its core goals of: simplifying research and application processes for families, and maximize the number of students matched with the schools they most prefer.

We exclusively approve proposals that meet professional standards for research design and ethical practices **and have merit and relevance for My School DC as defined by our research priorities**. Those priorities are:

- To improve the common lottery program, including the lottery algorithm and family outreach; and
- To improve school-based planning for My School DC participants.

"Research" refers to any activity aiming at increasing our body of knowledge, and encompasses all investigation, measurement, and evaluation activities, including design, pilots, data collection and analysis, interpretation of results, and conclusions and recommendations. This document governs requests for data (and research based on data) that:

- Are already collected through the My School DC common lottery process, or must be constructed based on existing data.
- Are disaggregate (including applicant- and other individual-level data), as well as aggregate data where identification is possible explicitly or implicitly (e.g., school-level data on subgroups where some subgroups have a size of one).

Please direct all **inquiries** to data.myschooldc@dc.gov

C. **Important Practical Considerations**

Due to the number of requests that My School DC staff receive, our ability to review and support external research projects, and to provide access to applicant data and data that require substantial manipulation, is limited. My School DC reserves the right to start charging fees at any time for data and research requests not covered by the Freedom of Information Act. Requesters will be notified of the cost before it is incurred.

My School DC and the Common Lottery Board reserve the right to deny a research request for lack of staff capacity or lack of alignment with research priorities.

D. **Important Restrictions**

My School DC is committed to protecting My School DC applicants and parents, participating schools, and that of their data.

- We have a legal and ethical obligation to protect the privacy of our applicants. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
- My School DC will carefully consider the best interests of its applicants and voluntarily participating schools before granting access to their data.
- My School DC will not engage in new data collection for purposes of a research project. **Data collection** includes, but is not limited to, interviews, focus groups, surveys, tests, observations, ethnographic studies, case studies, analysis of written documents, records, tables, primary and secondary data, gathering of records from other sources, and experimental designs.
- Requesters have the right, consistent with scientific standards, to publish, present, or use results from the research or data analysis, but only if the publication, presentation or use does not permit personal identification of My School DC applicants or their parents. My School DC may require that schools not be identified. In order to protect the confidentiality of previously identified confidential information disclosed to the requester, the requester must provide to My School DC any proposed publications or presentations which are to make public any findings, data, or results of the research or data analysis for My School DC's review and comment at least fourteen (14) days prior to submission of a manuscript or abstract for publication or the date of the presentation. In some instances, and at its sole discretion, My School DC may also require the right to approve proposed publications or presentations, as well as co-authorship with My School DC staff. For multi-year projects, the requester must agree to provide annual interim reports to My School DC for internal use. If My School DC does not receive any updates, they may choose not to fulfill subsequent data requests or to terminate the project.

E. Requirements for Conducting Research: Proposal

Narrative Description of Research Proposals

Proposed research must align with My School DC's research priorities..Applicants are encouraged to contact My School DC to determine the availability of data and the feasibility of their project prior to submitting proposals. **Research proposals should not exceed 6 pages in Calibri 11-pt font with 1" margins. Appendices do not count toward that page limit. The research proposal will become the basis for the Memorandum of Agreement between the requesting party and My School DC in the event of approval.**

Research proposals must include the following criteria to be considered:

1. Cover Sheet: Include the requesting party; the mission or core purpose of the requesting organization; the data set requested; the date of request; and the name of the sponsor from the My School DC staff or Common Lottery Board.
2. Abstract: Summary of the hypothesis to be tested, the data set involved, relevant variables, the empirical methods to be used, and the data outputs that will result from the project. (The abstract should be no longer than 250 words.)
3. Section 1: A brief discussion of how the proposed research contributes to the existing body of research and specifically adds value to My School DC through the potential improvement of the common lottery processes including the ease and equity in access to schools.
4. Section 2a: The hypothesis that will be tested.
5. Section 2b: The data set and variables that will be used in the complete analysis.
6. Section 2c: The data set and variables specifically requested from My School DC.
7. Section 2d: An explanation of why the research requires use of non-public data.
8. Section 3: The empirical methods that will be used to show technical merit of the project.
9. Section 4: The specific data outputs that will result from the project, including a description of whether the research results will be presented as descriptive statistics or frequencies, or via multivariate analysis such as regression coefficients.
10. Section 5a: An assurance that no school to school comparison will be included in any presentation of the research.
11. Section 5b: An assurance that no sector to sector comparison will be included in any presentation of the research.
12. Section 6: A description of how the research will be presented and disseminated, such as in a doctoral dissertation, journal article, or book.
13. Section 7a: If applicable, case for exception to The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) under which release of data or permission to collect data without consent is requested. Please include the specific exception under which you are applying and make a clear case for it (e.g., how and why this work will ultimately improve instruction). NOTE: Any request for unique student identifiers must be approved by the Common Lottery Board and by counsel before My School DC can fulfill such a request. Please expect additional weeks for counsel review.
14. Section 7b: *Protection of data and privacy*: Plan for the protection and maintenance of the privacy of students and participants in the research, as well as the protection of data. Provide a clear articulation of who will have direct access to confidential data, including individual-level data, and how the data will be stored and protected; include a clear statement that raw data will not be re-disclosed or repurposed, regardless of whether student identifiers are included.
15. Section 8: The source of funding for the project (if any).
16. Section 9: A statement as to whether the work will be conducted in collaboration with researchers from other organizations.
17. Section 10: A timeline detailing the total length of time needed to complete the project.

18. <u>Appendices</u>: Resumes that include descriptions of the professional background and relevant research record of each individual who will access the data.

My School DC reserves the right to require additional material. Complete information enables the most informed review and minimizes time spent requesting and reviewing additional materials. The proposal must be presented with such coherence and contain whatever elements are essential to describe a scholarly investigation of an educational matter. Reviewers will consider the written presentation of the proposal as a sample of the quality to be expected in the final report of the study.

G. Conditions for Access to Confidential Data

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA exceptions allow schools to disclose information from a student's education record, without consent, only to selected parties, for selected research topics and under certain conditions (34 CFR § 99.31). It is the responsibility of the requester to identify and justify the relevant FERPA exception. The requester and their staff will also have to sign a Memorandum of Agreement (MOA) with My School DC. For more detail on the provisions included in the MOA, please see the appendix. In particular, the requester will affirm that:

- They will comply with all laws pertaining to student confidentiality.
- Student information will be used only for the specific purpose of the agreement.
- Student information will be destroyed when the purpose of the security agreement is completed.
- Student information will not be released to any other party.
- They will notify My School DC immediately in the case of any breach of data security.
- They will provide a clear articulation of who will have direct access to confidential data, including individual-level data, and how the data will be stored and protected; include a clear statement that raw (individual-level) data will not be re-disclosed or repurposed, regardless of whether student identifiers are included.

H. Review and Approval

Factors typically considered in the approval process are:

- Appropriateness of the research topic for support in the public setting.
- The value the data or findings to be produced will add to My School DC's research priorities.
- Technical soundness, including objectivity of the analysis.
- The need for My School DC to safeguard the personal and legal rights of students, parents, staff, and schools that voluntarily participate in the common application and lottery.

Requests will be reviewed at the quarterly meetings of the Common Lottery Board, whose annual meeting schedule is posted in the DC Register and on www.myschooldc.org. Proposals are due and must be received at least fifteen business days before the date of a meeting to be considered for inclusion on that day. Proposals should be submitted by close of business on that due date. Requesters are invited and encouraged to attend the Common Lottery Board meeting at which their proposal will be reviewed.

- Proposals are reviewed in the order in which they are received and deemed complete after the initial review.

- Following the initial review, My School DC will notify requesters of approval or denial, or request additional information, by email.
- Research proposals and requests for confidential data, including school-level data, must be submitted to data.myschooldc@dc.gov.
- Decisions to provide confidential data and grant permission to conduct research will be emailed to the applicant. Data may not be obtained and research activities may not begin without first following the procedures outlined in this policy and securing the necessary approvals. Incomplete proposals will not be reviewed.
- If a research proposal or request for confidential data is approved, My School DC will issue a Memorandum of Agreement (MOA) for the requester to sign.
- My School DC will provide the requester with information on a secure FTP site which must be used to transmit confidential data.
- My School DC may place additional conditions on requesters as deemed necessary including but not limited to requirements related to insurance and criminal background checks.
- Approval of a research project or confidential data request may be withdrawn for any reason at any time.

Appendix: Key Provisions of Memorandum of Agreement

Researcher agrees to fulfill their responsibility on this project in accordance with the following guidelines:

1. To comply in all respects with the provisions outlined in the My School DC Process and Requirements to Conduct Research or Obtain Confidential Data.

2. To comply in all respects with applicable provisions of the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99).

3. To maintain, use, disclose, and share data received pursuant to this MOA in a manner authorized by FERPA and any applicable federal and District of Columbia law or regulation.

4. To use data shared under the MOA with My School DC for no purpose other than the research project described in the MOA, and as authorized under 34 CFR §§ 99.31(a)(6). Nothing in the MOA shall be construed to authorize me/my organization to have access to My School DC data beyond that included in the scope of the MOA. I/my organization further agree not to share Confidential Data received under the MOA with or permit access to such data by any individual or entity other than the Parties named in the MOA, for any purpose, except as permitted by the MOA and applicable law. I/my organization shall put procedures in place to safeguard the confidentiality and integrity of Confidential Data, to place limitations on its use and to maintain compliance with applicable privacy laws. I understand that the MOA does not convey me/my organization ownership of any Confidential Data.

5. To obtain all necessary approvals from authorized officials of my organization prior to beginning the Project. I will also obtain informed consent from Project participants as described in the My School DC Process and Requirements to Conduct Research or Obtain Confidential Data.

6. To require all employees, contractors, and agents of any kind working on the research project described in this MOA to sign a security pledge agreeing to comply with the MOA, the My School DC Process and Requirements to Conduct Research or Obtain Confidential Data, and all applicable provisions of FERPA and other laws with respect to the data and information shared under the MOA.

7. To the extent My School DC has not provided student records with Personally Identifiable Information, I agree not to attempt to identify individuals, families, or households in such data except as required by the project described in the MOA. I shall not disclose data produced to me/my organization under this MOA in any manner that could identify any individual or school, except as authorized by FERPA, to any unauthorized person. I and persons participating in this project on behalf of the Parties named in this MOA shall neither disclose nor otherwise release data and reports relating to an individual or school, nor disclose information relating to a group or category of individuals without ensuring the confidentiality of individuals in that group. Publications and reports of these data and information related to them, including preliminary project descriptions and draft reports, shall involve only aggregate data and no personally identifiable information or other information that could lead to the identification of any individual or school.

8. To not publish nor report on any My School DC data or information without first obtaining express written permission from My School DC.

9. To not provide any Confidential Data obtained under this MOA to any entity or person ineligible to receive Confidential Data or prohibited from receiving Confidential Data by virtue of a finding under 34 CFR § 99.31(a)(6)(iv), in any form, including electronically (including email) and hard copy.

10. To not share any Confidential Data obtained under this MOA via email with any entity or person including others participating in the project described in this MOA.

11. To notify My School DC immediately in the event of a breach of any measures to keep confidential the data received pursuant to this MOA with My School DC and to make all reasonable efforts to cure any such breach and to prevent further breaches, and to inform My School DC of such efforts.

12. To destroy all Confidential Data as provided for in this MOA and FERPA.