Requirements for Data Collection and Release

BSD7 complies with all state and federal regulations regarding the release of confidential student or staff data. Only certain information, in certain formats, may be disclosed without the consent of students' parents/guardians. Many, but not all, of the legal guidelines on which data release procedures are based are drawn from the Family Educational Rights and Privacy Act (FERPA; 20 U.S.C.§ 1232g; 34 CRF Part 99). Further information about FERPA regulations can be accessed at http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.phtml.

Any student participation in data collection activities or any release of individually identifiable information requires active consent from the student's parent/guardian and, often, student assent. The information you include should allow students/parents/guardians to provide informed consent based on full knowledge of what the student will be asked to do, of the potential risks and benefits of participation and/or of any information about the student that you plan to obtain.

- All records that you wish to access should be specifically listed. Please avoid the use of terms such as "academic information" and "test scores." Rather, use descriptions such as "grade point average" or "grades assigned by the teacher for each subject" and "scores on the Reading and Math TAKS from the Spring 2006 administration(s)." Likewise, if you wish to analyze attendance or discipline data, your consent form must state this explicitly. You will not be allowed to access information which is not described in your consent form unless a second consent is obtained.
- Information regarding a student's eligibility for free/reduced price meals is considered confidential under the Healthy Meals for Healthy American Act of 1994, P.L. 103-448. Requirements state that written consent for release must be obtained. The consent statement must:
  o Identify the information that will be shared and how it will be used,
  o Be dated and signed by the parent/guardian,
  o State that failing to consent will not affect Child Nutrition Program eligibility or participation, and
  o State that the information will not be shared by the receiver with any other entity or program.

You may wish to design your consent form so that parents/guardians can withhold this information, but still consent to project participation and/or the release of academic information.

- Your parent consent form should also include a specific description of what you will do with information from student records. Typically, you should state that you will record and analyze student information. Avoid the term "examine," unless you only wish to look at records without taking notes.

If your project requires a data sharing agreement, only those data that the agreement covers will be released to you. Guidance on the creation of a data sharing agreement may be found at http://ptac.ed.gov/sites/default/files/data-sharing-agreement-checklist.pdf. It is the responsibility of
the researcher to create the initial draft of the data sharing agreement. The draft may be modified at the discretion of BSD7. Therefore, please review the agreement carefully before you sign the final agreement. Any additional data will require an amended or new agreement, and will require new approvals from BSD7 and your agency.