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University of Cape Town

Ethical Framework for
Evaluation and Research Involving Student Data

January 2023

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1. Introduction

The purpose of this framework is to promote and guide the ethical use of data from and pertaining to studies at UCT among stakeholders inside and outside of the university. The framework is intended to promote intellectual and scholarly rigour while contributing to effective risk management as the legal and regulatory context for evaluation and research projects has grown more complex and demanding. The promulgation of the Protection of Personal Information Act No. 4 of 2013 (POPIA) has specific implications for legal and regulatory compliance with respect to the access and use of student data. Ethical considerations more broadly bear on the conceptualisation and planning of projects and principles of ethical data use, as well as the roles and responsibilities of stakeholders including students, evaluators, researchers, data custodians, and institutional authorities such as Research Ethics Committees. This framework contains content intended to promote quality and efficiency in their coordinated efforts and work.

The framework, with its focus on the use of data, is not intended to inform the work of data custodians including university staff responsible for admissions, student records, or activities such as library access and resource usage. Rather, the framework concerns the pairing of data resources to evaluation and research activities through attention to who generates data, when and where, and compiling these data into what datasets are of potential value to bona fide interests. Evaluation and research activities are made possible, and made better, through the recognition that data generated in one place or context may be used in other places, both anticipated and unanticipated, appended to and/or combined with institutional data in both systematic and novel ways, responsibly shared with stakeholders outside the university, and retained for secondary and longitudinal analyses and interpretations.

The stakeholders to whom this framework is offered and for whom it is prepared and written include students as an essential and core group. No stakeholder has been excluded by intention, and the authors welcome the opportunity to correct any error or omission of inclusion or representation.

The process of development involved a series of workshops, the first of which was entitled, “Students: Agents of Learning/Bodies of Data” and the third and final of which garnered expression from student participants that the framework itself should be a framework “for researchers AND students.” Individual stakeholders include a wide range of users of student data (researchers, academic staff, faculty leadership and managers), custodians of student data, academic advisors and third-party data users. Institutional stakeholders principally include Research Ethics Committees of UCT and units of the Centre for Higher Education Development:

- Academic Development Programmer (ADP)
- Centre for Innovation in Learning and Teaching (CILT)
- Careers Service
- Centre for Educational Assessment (CEA)
- First-Year Experience (FYE)

Given the purpose and the range of stakeholders’ interests in the DASS Ethical Framework, the development process involved early recognition of a need for alignment with relevant university procedures, practices, and policy content such as the draft UCT Privacy and Data Protection Policy (ISMS-DOC-A18-5, 24 August 2021). The connections (or gaps) between policies and procedures present opportunities (and some obstacles) with respect to the access and use of student data. The context is expected to remain dynamic and, as such, the authors welcome feedback and inputs on the framework itself.

Revisions, a process for which may require formal establishment, are expected to occur periodically as well as within a period not to exceed one calendar year in the event of a material change in law, regulation, or UCT policy that suggests or instructs modifications in the best interests of students and or any other stakeholders. Thus, the framework is

intended to be a living document amenable to change, improvement, and refinement to best serve and support evaluation and research activities at UCT.

Comments may be sent to:
[Contact information]

2. Background

2.1 Objectives for the DASS Ethical Framework:

This framework is motivated by the larger work of the Data Analytics for Student Success (DASS) Task Team and follows from an awareness that UCT attracts the best students in South Africa. As of the preparation of this framework, DASS has been engaged in a comprehensive, university-wide project at the University of Cape Town (UCT) to analyse requirements, build human capacity, re-engineer business processes, evolve organisational structures, build technical capabilities, develop accountability and governance mechanisms and drive cultural change with place data-informed approaches to student success. The ambitions of the project reach all levels of the teaching and learning enterprise. DASS is specifically interested in reducing the achievement gaps at UCT, and remediation of the burden of disparities to advance equitable opportunities and experiences among students, and realising their individual student potential. Through its university-wide project, DASS has also observed throughput and completion data that show black students have higher dropout rates or take longer to complete degrees with lower final results than white students—evidence of persistent, historical inequities. In response, DASS aims to improve success for all students and to significantly reduce achievement gaps by building an integrated, university-wide data analytics capability to be applied to all phases of the student journey.

This framework is intended to support DASS in the following ways:

- The framework serves to incorporate data ethics within the scope of research and evaluation ethics as applied to students and student data;
- The framework delineates responsibilities for managing data with integrity;
- The framework operationalises relevant laws, regulations, and policies pertaining to data access, sharing, and use;
- The framework articulates boundaries for data access, sharing and use; and
- The framework enables improved management of risks associated with data through its promotion of accountable, transparent approaches to evaluation and research activities.

2.2 Approach:

Because the field of data analytics offers powerful, evidence-based approaches to understanding teaching and learning, and student experiences more broadly—approaches that resonate with high quality, replicable, reproducible evaluation and research—the DASS Task Team sought a strategy for framework development that would pull together different perspectives and place the rigours of data management in direct conversation with the priorities and principles of evaluation and research in educational contexts.

The DASS Task Team convened three workshops, held in a series, beginning in early 2022. An abstract from each of these workshops is presented below:

Workshop 1
Students: Agents of Learning/Bodies of Data

This workshop invited attendees to participate in a critical conversation about a controversial case study involving student data in research. The goals of the workshop were to explore ethical considerations in using data from and about students, and the responsibilities that attach to those who seek to evaluate learning environments and experiences, and to conduct research about efficacy, equitable opportunity, and improving student success. 4

Workshop 2
Mapping Opportunity: The Field of Evaluation and Research for Student Success at UCT

This workshop aimed to undertake a mapping of opportunity in the field of evaluation and research involving student data, and projects that are, in particular, concerned with analyses of student success. The goals of the workshop were to identify the types of projects that garner interest, the sources of data that can enable these projects—students themselves, data repositories, and techniques from surveys, observational data, ethnographic study, and quantitative analyses involving linkages across novel integrations of datasets. As the mapping identifies the kind of work to which DASS will structure an ethics framework, a secondary goal was to identify the kinds of tools and resources necessary to implement evaluation and research projects, ranging from informed consent templates to template data security assessment resources, informational disclosures, and transactional documentation with data custodians for compliance purposes.

Workshop 3
Resources: Tools of Trade/Techniques of Ethical Exchange of Student Data

Benefiting from two prior workshops (involving ethical considerations, and evaluative and analytic ambitions in terms of assessing and promoting student success), this workshop invited critical attention, comment and deliberation in regard to a set of draft resources to be offered in connection with the DASS Ethical Framework, facilitating compliance with data privacy and security requirements, the legal and regulatory environment, and expectations within the student community.

The DASS Ethical Framework follows from the engagement of the full community of participants in these workshops. Workshop participants emphasised that the framework should be practical, function as a resource for evaluators and researchers, include or point to templates and sample instruments, and guide—but not dictate—how to conduct evaluation and research activities with ethical rigour. Their expectations offer alignment with the conception of the Framework as supporting evidence-based evaluation and research outputs that will inform recommendations to Senate Teaching and Learning Committee, facilitate shared and common visions of student success at UCT, and enable analyses of topics and issues ranging from institutional support, conditions of possibility for success, technical capabilities, and human capabilities, to cultural capacity for change.

3. Structure, Scope, and Principles

3.1 Structure:

In addition to this Introduction and its reflection on process and method, the Framework is composed of statement of scope, an articulation of core principles, a detailed summary of ethical considerations as they may apply throughout an evaluation or research project from conception to the close-out and final disposition of project data, and a set of

resources to support the development and implementation of evaluation and research projects.

3.2 Scope:
The scope of the Framework is defined by and limited to the field of academic analytics. The framework is not intended for those who collect data and use those data for other purposes such as research in other scientific or scholarly fields and is covered by research ethics approval(s) among the faculties of UCT or other institutions. The Framework concerns the use of data relating to students and aims to inform practices in regard to:

- Where datasets inclusive of student data may be held or stored, and how the data may be moved or transmitted by appropriate, secure means;
- How student data created and or maintained in one location may be made available to other, non-custodian users;
- The time, place, and manner by which student data may be appended to other institutional data;
- The time, place, and manner by which to permit third-party access to or use of student data;
- Evaluator and researcher responsibilities when combining project data with institutional data.

The scope of the Framework is not intended to reach data relating solely to University staff and/or staff activities, or data of an operational nature pertaining to students in a manner that is incidental to business functions of the University. The scope is, however, intended to include admissions, student records within the purview of the Registrar or other University officials, and student activity data associated with the Learning Management System (LMS), Labs, Libraries, and other University services or resources that involve a routine or systematic interface with students.

3.3 Core Principles
The Framework is prepared and presented to comport with the following core principles:

- Rigorous, high quality data analytics are an integral part of fulfilling scholarly and academic commitments and duties to the discovery and dissemination of knowledge in the field of learning and student success.
- Student success is achieved at individual, collective, institutional and societal levels.
- Data and Evidence-based policies support ethical, effective, and well-planned interventions to improve, enhance, and sustain student learning and student success.
- The integrity of student data and the appropriate access, use, and interpretation of these data are a shared responsibility among data custodians, evaluators, and researchers, as well as students themselves. Key roles among these responsible parties are defined within the South African Protection of Personal Information Act (POPIA), No. 4 of 2013, as follows:
  - The Responsible Party is a researcher or principal investigator, or a research institution, responsible for determining how and why student data are used;
  - The Operator is, where applicable, a party on whom the responsible party relies to process student data to conform with research needs;
  - The Information Officer who is the designated individual within an institution responsible for ensuring legal compliance with POPIA; and
  - The Data Subject who is the person (typically a student in the context of learning analytics) about whom information is used or processed and/or would be a study subject or research participant in the context of evaluation or research activities.
- Accountability is a methodological priority. It means ensuring ethical considerations regarding student data are satisfied in all phases of an activity from planning, performance, and interpretation of data, to sharing final results. Accountability extends to compliance with the terms and conditions of data use established at the time of the determination that an activity comports the lawful purposes, and adhering to those terms and conditions for the duration of the activity. As a principle, accountability supports the minimization of risk to persons; an ethical balance of risk and benefits from

undertaking evaluation or research activities involving student data; the use of equitable methods of recruitment, engagement, and representation of persons; the use of informed consent and permissions; and the satisfactory accommodation of privacy and confidentiality considerations for student data in the context of evaluation and research activities.
- Transparency is a requirement meaning that evaluation and research activities are not to be conducted in a manner that conceals information from those who have a legitimate interest in knowing that information. Transparency provides safeguards against deception, fraud, misrepresentation, and abuse of access, permissions, and/or authority. As a principle, it renders evaluation and research activities amenable to verification through replication and reproduction. In the context of data analytics involving student data, specifically, transparency requires setting meaningful expectations about evaluation and research activities—sharing privacy and confidentiality risks, honoring the principle of voluntary participation, and providing alternatives, where appropriate, such as opt-out response choices as well as audit rights and/or permissions to see data access logs as is common in the governance of medical records.

4. Evaluation and Research Projects: Summary of ethical considerations from conception to final disposition of data

4.1 Conception of topic or problem

Evaluation projects are typically motivated by an interest in systematic observation of one or more attributes of student experience or learning, spanning specific course content to contextual and institutional factors. Evaluation projects may be characterized by iterative processes that emphasize questions based on the context, resources, and time available to assess conditions or objects of interest and consideration. In contrast to research, and hypothesis-driven research in particular, an evaluation will be directed toward decision-makers, aiming to provide them with information in order to undertake responsible action about a particular project, topic, or issue.

Research projects are typically structured as systematic investigations intended to give rise to generalisable knowledge. They may emphasise the possibility of discovery, seek to explore hypotheses or test the efficacy of novel ideas.

Evaluation and research projects share considerable overlap from conception, methods, and conduct through conclusions and dissemination of findings. Evaluators and researchers also share commitments to integrity and rigour in their work. The distinction between evaluation and research, however, is relevant to administrative and compliance considerations that present procedural and policy-based means of expressing and acting upon ethical principles.

4.2 Statement of project

A statement of project is an instrument or brief text that provides the core information necessary to garner voluntary participation of students and others, as well as support from data custodians and stakeholders. The statement of project is responsive to the ethical duty of transparency with individuals involved with a project and ensuring that such individuals have or have access to a basic understanding of the activities in which they will be engaged, and the purpose to which the activities are directed.

4.3 Specification of aims &/or objectives

The specification of aims and objectives ensures the effective pairing of conceptual ideas to methods, activities and plans, and that the data involved in a project or that are or will become available will be responsive to the topic or problem of interest.

4.4 Characterization of project (&/or components) as evaluation, demonstration, or research

Evaluation projects, typically drawing on quantitative and qualitative methods of the behavioural and social sciences, involve assessment or appraisal of an object, program, practice, activity, or system, generally with the purpose of providing information that will be of use in data-driven, evidence-based decision making. Evaluation projects form an essential part of educational practice.

Research projects, by comparison and in relation to evaluation and demonstration projects, often target educational practice at a policy level or concern longitudinal patterns and trends in education. When conducted in educational settings that specifically involve recognised educational practices, research projects are generally structured to ensure that they are not likely to adversely impact students' opportunity to learn educational content or the assessment of educators who provide instruction. This includes most research on regular and special education instructional strategies, and research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.

Projects subject to oversight and approval by a Research Ethics Committee involve **research** about or engaging individuals from whom or about whom a researcher (whether professional or student) conducting research: (i) obtains information through intervention or interaction with the individual, and uses, studies, or analyzes the information; and/or (ii) obtains, uses, studies, analyzes, or generates identifiable private information otherwise available to the researcher.

A project that involves **health research** means, in accordance with the National Health Act (SA), "any research which contributes to the knowledge of—(a) the biological, m clinical, psychological or social processes in human beings; (b) improved methods for the provision of health services; … (e) the effects of the environment on the human body; …"
A researcher is responsible for identifying the appropriate Research Ethics Committee for the review and oversight of the researcher's project and its activities. The RECs at UCT are established within a framework of oversight by the Senate Ethics in Research Committee and are composed to serve within individual faculties. The RECs take responsibility for the review and oversight of research projects that engage with research participants through interactions and/or interventions, and/or use individually identifiable data about living individuals. Their work is shaped by core principles of justice, beneficence, and respect for people. RECs also undertake special scrutiny of research that engages with vulnerable populations that may be recognized to include, as appropriate in some circumstances and contexts, student populations. In determining the appropriate REC for submission, a researcher should consider both the methodological and disciplinary nexus of the research with the expertise of an REC, and examples of individual projects within the purview of the REC. Given the breadth of the health research, as defined in South African law, it can be instructive to note, for example that an assessment of sleep and student outcomes or a stress study (concerning topics such as financial burdens of student life to family, food security, housing security, and impacts of household health and well-being on education) would need to be overseen by an REC in accordance with the South African Health Act regulation of health research.

4.5 Determination of data resource needs

Evaluators and researchers interested in data analytics about teaching and student learning will seek data from a range of potential sources including:

(1) **Students** (through interaction or intervention, on/off campus, in structured/formal or non-structured/informal environments, in-person or mediated by technology (phone, social media, etc.);

(2) **University data custodians** including, among others, the Registrar's Office (student records), Student Affairs, Academic Departments, Centre for Educational Assessment (CEA) within CHED, Career Services, Libraries;

(3) **Cohort studies** conducted through or among UCT Faculties such as protocols undertaken in collaboration between, for example, the Centre for Higher Education and Development (CHED) and the Faculties of Science and Engineering and the Built Environment;

(4) **Publicly available sources** of data not within the possession or control of the University; and

(5) **Proprietary sources** of data not within the possession or control of the University (such as comparative datasets including those that may be available through government offices, departments and authorities).

Data collection from data custodians, both those within the University and beyond, is often best supported with written requests and receipt of permissions or filings where procedures may exist for routine data release and/or dissemination purposes. The Template Data Request Letter is provided herein as an example for evaluators and researchers to use on an individual project basis. The Informed Consent Template Builder is similarly provided for developing informed consent documentation to set expectations with student participants in evaluation and research activities.

4.6 Specification of data management plan

Data management plans provide the structure on which data contributors rely in choosing to participate in evaluation or research activities, and placing trust and confidence in those who receive and use data, and bear responsibility for its security and protection.

Data management typically include elements such as the following to support data integrity as well as to ensure confidentiality and privacy interests, and protection of proprietary and intellectual rights in data:

(1) Controls for authorised access to personal information stored in physical and/or electronic formats;

(2) Physical and Technical safeguards such as locks and firewalls;

(3) Use of appropriate hardware and software to manage data;

(4) Competencies and training in responsible conduct of research;

(5) Active management of software security and data/computer encryption;

(6) Pairing of data security measures to risk profile of data (personal/sensitive information);

(7) Controls for reasonable expectations of data security and privacy in work site(s); and

(8) Plans for data back-ups, recovery, and final disposition.

Data management plans need to attend to the distinctions between standard personal information and special personal information, and high-risk information that may be associated with harms of: loss of privacy; identification without consent; stigmatisation; reputational harm; discrimination and bias; trauma; and legal prosecution.

4.7 Development of Protocol, selection of collaborators, preparation of funding proposals

The scale, formality, and complexity of an evaluation project will indicate the need to craft a protocol, engage collaborators, and prepare proposals for funding. Evaluation projects that will not involve personal information may nevertheless benefit from sufficient documentation to demonstrate alignment with policy and regulatory requirements (codified in, among other sources, the Protection of Personal Information Act (POPIA)). A research

project may present additional needs to craft a protocol, engage collaborators, and prepare proposals for funding. These needs typically emanate from commitments to replicable or reproducible evidence and science as well as policy and regulatory requirements associated with personal information necessary to the research will require documentation, demonstrating, for example, conformance with POPIA.

4.8 Self-assessment of ethics of data access and use
Projects involving student data that are sensitive, individually identifiable, and coded or otherwise structured such that they may be subject to re-identification may require the self-assessment in accordance with the UCT Privacy and Data Protection Policy, to be submitted to the Deputy Information Officer (or designated team) for review and confirmation of conformance with policy. Interim Privacy and Data Protection Policy, needing update/hyperlink, https://www.news.uct.ac.za/article/-2021-12-09-report-on-the-uct-council-meeting-of-4-december-2021

Research studies, in part because of their capacity to generate and publish findings for broad audiences, are expected to make routine use of the self-assessment procedure. Best Practices Guidance for Institutional Units regarding Student Data, and Real Time Ethics Consultation with DASS are provided as resources for project preparation and self-assessment.

4.9 Submission for approvals/permissions & clearances
While many evaluation projects are not not generally subject to Research Ethics Committee (REC) review and approval at UCT, they may nevertheless rely on data sources or resources that are available on the basis of satisfying permissions ranging from informed consent to confidentiality pledges, data use agreements and/or non-disclosure agreements. Research projects, by comparison, are generally appropriate for the review and approval of the REC of the researcher's faculty of affiliation. Research project may also rely on data resources available on the basis of granted permissions, often involving written requests and submission review processes. Periodic, continuing review of the project may be required throughout interactions or interventions under the protocol, or another milestone of completion. Periodic review is frequently structured at an annual interval, involves progress reports, and may include submission of redacted versions of participant-facing materials to ensure the materials on file with the oversight body are the materials in use by project personnel. Periodic review is a useful event for evaluators and researchers to revisit the expectations and obligations of permission-based access to data and to ensure those expectations are honored in practice throughout data collection and analysis phases of their projects and research studies.

The following is a list of common materials that evaluators and researchers use in the field of data analytics for communicating ethical parameters of their activities:
- Recruitment flyers and listserv messages/invitations to participate
- Informed Consent Form(s)
- Study Information Sheet
- Focus Group 'Ground Rules'

4.10 Data collection (including linkages)
Depending in particular on the risk profile of an activity that involves interactions or interventions with students, data collection activities may involve informed consent and/or information sheets among project participants, and documentation about a project to substantiate the trust and rapport necessary to securing complete, accurate, high-quality data.

Evaluators and researchers may also gather data and information for direct analyses and/or for the performance data linkages between datasets, exploring novel hypotheses or conducting interpretations of data that are otherwise not feasible. Doing so is both an opportunity to match data on specific identifiers (often sensitive or personal), and also to

establish de-identified analytic datasets that support projects while ensuring privacy and confidentiality rights and interests are satisfied. When data linkage activities are combined with interactions or interventions involving students, the informed consent process needs to carry a complete and comprehensive statement of the procedures planned under the protocol. The ethical obligation to do so is particularly important when combining datasets that contain sensitive and/or identifiable information.

4.11 Quality assessment, improvement, and control

Quality assessment generally refers to the processes and procedures by which evaluators and researchers describe the data of a particular project or study in relation to the degree to which project data conform to predetermined standards and criteria. Methods to improve and control project data support reliable and replicable results with value to, for example, evidence-based decision-making and policy-making efforts. Quality assessment, improvement, and control activities serve to validate research activities and confirm the attributes of research activities as “systematic investigations” that contribute to “generalisable knowledge.” Quality assessment, improvement, and control activities are made possible by accountability and transparency in evaluation and research activities.

4.12 Analyses & interpretations

Data driven analyses and interpretations of project data benefit from the rigour of recognised methodological approaches including, among others, meta-analysis, multilevel models, multilevel structural equation models, and machine learning. From an ethics perspective, critical attention to the categories of analysis, schema of classification, and control of apperception ensure a conceptual and theoretical fit with aims and objectives.

In the context of research, analyses and interpretations carry the value—they compose the primary (or simply the) benefit of discovery, increased knowledge, and/or improved understanding the project may generate. The ethics of research require that the risks to participants and individuals otherwise involved in research be reasonable relative to the expected value of the analyses and interpretations to be informed. As analyses and interpretations are undertaken, it is the responsibility of the researcher(s) to ensure this balance holds. For some vulnerable populations (e.g., children experiencing acute disease), and for research involving greater than minimal risk, the value must be paired to at least a possibility of individual benefit (as is incorporated within medical research ethics). In addition, and as in evaluation projects, critical attention to the categories of analysis, schema of classification, and control of apperception ensure a conceptual and theoretical fit with project aims and objectives.

Furthermore, in order to maintain commitments of privacy and confidentiality, analyses and interpretations may need to be conducted with particular safeguards. For example, it may be appropriate to aggregate or exclude information in very small datasets for which the size of the data sample contributes to an elevated risk of identification or re-identification. This process in the parallel context of public health and disease surveillance involves it standards for suppression of low case count numbers in statistical analyses (e.g., reporting annual incidence of rare diseases in low-population, rural areas).

4.13 Preliminary project outputs

With respect to ethics, preliminary project outputs present a first, significant opportunity to confirm the consistency of a project’s outputs with the commitments and expectations set among participants and data custodians. Are interests of privacy and confidentiality satisfied in the expression of project findings? Do findings present any other possible harms (of, for example, reputation or discrimination) among individuals or groups to whom findings pertain? Are there reasons to consider statistical suppression of low number case data, risks of re-identification of data, or limitations of access, dissemination, or publication of project outputs?

4.14 Student/participant/stakeholder (data custodian) feedback, reflection, and critique

Feedback from students, participants, and/or other stakeholders engaged in a project contributes valuable controls for quality, accuracy, and bias in methodology. Situationally, because some stakeholders may be removed from the design, implementation, and interpretations of project leaders and staff, the insights or perspectives associated with stakeholder may be uniquely available through stakeholder feedback. Garnering feedback carries additional ethical value in that it facilitates trust for further and future engagements, and also gives rise to opportunities for reciprocity. In exchange for access to research participants (such as students), an organization (such as the University) may reasonably expect at least some volunteerism and/or service from the project staff in fulfillment of the organization's own functions and mission, or to defray the costs and burdens incurred by the organization's support of the project and costs of staff time and resources. The ethics of a project may also entail responsibilities of response to acute needs that coincide with the work such as contributions to student support resources, learning activities, counseling or mentorship.

4.15 Conclusions and completion of project

Conclusions serve, beyond articulation of findings, to restate purposes, aims, and objectives, and to anticipate potential applications or further implications of a project. The final expression of conclusions often benefits from the contextual information provided by a description of project limitations—what was out of scope, what proved to be infeasible, what could not be covered, etc. Many limitations pertain to logistics and resources. Those that pertain to ethics are often driven by principle. For example, a project on topic with a tangential relationship to trauma might avoid inquiries into individual experiences of trauma if the project is unable to provide psychological counseling support to participants either directly or though a partnered referral. Such limitations merit clear expression because they situate project conclusions within a broad set of human and moral priorities. The expression of the conclusions of a project often extends to recording or documenting the final disposition of project data and any availability of these data for future, secondary analyses and continuing restrictions of privacy and confidentiality that may apply to the project data.

4.16 Return, destruction, or other final disposition of data

The leader of an evaluation or research project is responsible for ensuring the final disposition of data in regard to commitments and expectations established throughout the planning, conduct, and analysis of the activities and data that compose a project. In addition, evaluators and researchers must close out their activities in accordance with University policies, providing particular attention to those applicable to data. University policies underscore responsible conduct and ethics with instructions for evaluators and researchers to satisfy the terms, conditions, and restrictions associated with student consent and criteria of data access and use (as required by data custodians). University policy has specific application to:

(i) data that substantiate published research findings;

(ii) significant data generated by the project;

(iii) unrepeatable observations; (iv) longitudinal studies of human or natural events; and

(iv) experimental results that would be impossible or expensive to reproduce.

UCT Research Data Management Policy, https://www.uct.ac.za/sites/default/files/content_migration/uct_ac_za/39/files/TGO_Policy_Research_Data_Management_2018.pdf

5. Resources

5.1 UCT Policy Commitment

5.2 Informed Consent Template Builder

5.3 Template Project Commitment to Students Engaged in Evaluation &/or Research Activities

5.4 Sample Request for Participation (Interview)

5.5 Template Self-Assessment for Responsible Access and Use of Student Data **[To Do]**

5.6 Template Data Request Letter

5.7 Best Practices Guidance for Institutional Units regarding Student Data

5.8 Real Time Ethics Consultation with DASS

5.9 Graphics

6. Examples

6.1 Research Examples **[To Do]**

6.2 Evaluation Examples **[To Do]**

5.1 UCT Policy Commitment to Students Engaged in Evaluation &/or Research Activities

At UCT, We respect the rights of data subjects to:

- access their records;
- know who their information was shared with;
- correct or delete inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or illegally obtained information;
- withdraw consent; and
- object to the processing of their information when it is not necessary for the conclusion or performance of a contact or to comply with an obligation imposed by law

Draft UCT Privacy and Data Protection Policy (24 August 2021)
ISMS-DOC- A18-5

5.2 Informed Consent Template Builder

Topics in recommended sequence	Sample Text	Guidance for use & adaptation
Invitation	The purpose of this consent form is to ask for your voluntary participation in a research study. The following information is provided for your consideration before you decide to participate.	A consent form typically begins with an invitation to participate. The wording should indicate that participation is optional and voluntary, and that the individual—a potential participant—is being asked to decide whether or not to participate on the basis of information in the informed consent document.
Purpose & Background	[Institution] conducts research and evaluation in higher education and data analytics for student success. The activity you are being asked to participate in is intended to obtain information about […] The activity will be lead by [Evaluator/Researcher] who is [affiliation/qualification]. You have been identified as a potential participant by [method of disclosure/recruitment].	In accordance with the principle of transparency, this section provides a potential participant with a summary of the background or reason for the research, the specific objectives or aims of the research, and an explanation as to why the potential participant is being asked to participate. This section and the other substantive sections of an informed consent document serve to set expectations with and among participants. The project leader, evaluator or researchers should be identified by name. The identity and role of collaborating institutions that may interact or otherwise be involved with participants should be explained. The potential participant should gain a reasonably complete and accurate overall depiction of the research. Non-disclosure of significant aspects of research plans and deception are not generally appropriate to research conducted at the University and, if methodically necessary to a project, present specific ethical concerns to be addressed in advance with the REC of oversight.
Procedures	If you agree to participate in this study, a member of the research team will ask permission to interview you about [your educational experience and background, course of study, study habits, interactions with peers, and accessibility of your professors]. This interview will last [DURATION]. It will be conducted in private, at a time and place convenient to you. Your responses will be recorded on a form that will not contain your name or any contact information, and will later be transferred to a password-protected data file that is maintained on a secure university network. The research team will also obtain information about your academic records and transfer this information electronically to the data file. A member of the research team may contact you after the interview to find out if you would be willing to answer some additional questions, participate in a follow-up interview, or contribute to quality control of study data. You will not be re-contacted more than once for this study. The entire data collection process will take [NUMBER] years, beginning in [YEAR]. The researchers intend to retain study data for future research purposes and may release de-identified data to collaborators and other researchers who agree to data security protections.	Describe the research intervention, i.e., the procedure(s) to be performed on subjects or the means by which information about subjects will be gathered. If procedures will be performed on subjects, describe them in nontechnical terms. Indicate who will conduct the procedures, where and when they will take place, how often they will be performed, and how much time will be required. If survey or interview procedures will be used, subjects should be told about any sensitive or personal questions. If information about subjects will be gathered from third party sources, the nature of the data, as well as how and from whom it will be obtained, should be described. Any photographing, video or audiotaping of subjects should be described. If the study involves repeated contact with subjects over an extended period, and the investigator intends to contact family members, neighbours, employers, government agencies or contact-persons designated by the subject, this should be explained. If subjects are drawn from welfare or social service beneficiary populations, they should be informed whether or not participation could affect their eligibility

5.2 Informed Consent Template Builder (continued)

Topics in recommended sequence	Sample Text	Guidance for use & adaptation
Risks (Privacy & Confidentiality)	Answering some of the interview questions may make you feel uncomfortable. However, you can decide not to answer a specific question, take a break, or stop the interview at any time. In addition, there are always some privacy and confidentiality risks associated with giving information about yourself to someone else. To minimise these risks, the research team uses data security procedures to protect your privacy and keep information about you as confidential as possible. The interview forms will be kept in a locked file cabinet. Only [Project leader] has a key. Information about you in the electronic data file will be identified by a code, and not your name or other personal identifiers such as an email address or birthdate. The key linking the numerical code with your identity will always be kept separate from the data file. Your identity will not be revealed in any publication or report resulting from the study. Your name will not appear in connection with your responses to the interview questions. Please note that data security procedures do not prevent the research team from obtaining outside help or notifying the authorities if any member of the team should think that you or someone else is in immediate danger.	This section should disclose the reasonably foreseeable risks or possible discomforts associated with the research activities of the project. Risks may take the form of physical, psychological, financial, legal, social, reputational or other categories of harm. Technically, a risk has two elements-the magnitude of harm or loss and the probability of its occurrence. Sometimes information about these two elements may have to be provided separately, but usually they can be discussed together. High-magnitude and high-probability risks should be described first. It is not necessary to disclose all possible risks or discomforts. For example, risks that depend on an independent, intervening cause (e.g., automobile accident while driving to the interview) or risks that are self-evident or universally known (e.g., boredom while filling out survey) need not be disclosed. Generally speaking, the risks that should be disclosed (and the facts about them that should be disclosed) are those that a reasonable person who is a member of the class of persons from whom subjects will be drawn would consider relevant to his or her decision whether or not to participate. Any precautionary measures or special procedures that will be undertaken to minimise or avoid risks should be described. Consent forms stating that there are no risks of participation are not acceptable to the PHI IRB. Participation in research that is subject to IRB review necessarily involves a loss of the subject's privacy when personal information about the subject is disclosed to the investigator and the members of the research team. The risk is compounded if the investigator does not keep the information confidential. Since loss of privacy and
Benefits	Participating in this research study will not benefit you personally. However, the results of this research will add to knowledge about education and student success, and may possibly contribute to evidence-based policies that enhance the opportunities and potential achievements of students like you.	This section should describe any benefits to the subject, other individuals, or society at large that might reasonably be expected from the research. If there is no direct benefit to the subject, this should be stated. If subjects will receive payment or non-cash benefits in return for participating, this should be described in a separate section.
Alternatives	Although there are no alternatives associated with this study, there is no penalty for non-participation.	This section should be used to describe any alternative procedures or activities that are available to an individual who chooses not to participate in the study. Most research involving data analytics does not involve interventions alternatives are routinely available and, as such, the only common alternative is non-participation.

5.2 Informed Consent Template Builder (continued)

Topics in recommended sequence	Sample Text	Guidance for use & adaptation
Compensation/ Participation Incentives	You will receive a R100 voucher for the University Bookstore after your interview is completed. Voucher will be made available by email to you at your University account. If you are selected for re-contact and you agree to a follow-up interview, you will be offered an additional voucher.	Information about any participation incentive should provide the value or amount, form, timing, and method of distribution. For some activities, distribution of compensation increases the need for identifiable information and can compel a more complex protocol and/or data security procedures. A payment amount or value of an incentive that might coerce or unduly influence a potential participant introduces bias and undermines the voluntary nature of research participation. If the research involves multiple interactions with participants, they should not be penalised financially or otherwise for withdrawing from the study, nor unduly rewarded for completion with a balloon incentive at the end of a series of interactions.
Questions/ Concerns	If you have any questions about the study or your rights as a participant, you can contact [Project leader/Researcher] by email, phone, or in writing: [Contact information]. Alternatively, you can contact the Administrator of the Research Ethics Committee (the University committee that oversees this research) at [Contact information].	This section should provide information about whom to contact if the participant has questions about the study or their rights as a subject. Contact information should be provided for both the project leadership and the REC that approves and oversees the study.
Consent	Your participation in the study is voluntary. You are free to decide whether to participate or not to participate, and you can end your participation at any time, and without any penalty or loss of services to you may be entitled [as a student at the University]. If you end your participation, you have the right to instruct that any information already collected from you and about you by deleted or destroyed. If you agree to participate, you should sign below. You will be given a copy of this consent form to keep.	This section serves to convey that the act of signing the informed consent document gives consent to participate. Recitals and all legal jargon should be avoided. Informed consent cannot be used to waive legal liability. It is not a contract. The consent portion of the document should remind the prospective subject that participation in the research is voluntary. If not already indicated in the document, the text should advise participants that they may refuse to participate, entirely or in part, and/or withdraw at any time without penalty or, if relevant, without any loss of any benefits to which they are otherwise entitled. This section should also state that the subject will receive a copy of the consent form. Some research activities present a question about whether a subject's withdrawal only operates prospectively, or necessitates the destruction (or de-identification) of prior-obtained information to withdrawal. It is especially important in the context of studies that deidentify information at the time of collection any may lack a key, code, or method by which to extract individual participant data from study datasets. In such circumstances, a researcher can commit only to the destruction or deletion of any remaining identifiable data upon a participant’s withdrawal from the study.

5.2 Informed Consent Template Builder (continued)

Topics in recommended sequence	Sample Text	Guidance for use & adaptation
Signature (or waiver)		Unless an REC has specifically made a determination to waive the requirement for signature (or for documentation of informed consent in full), a consent form should end with a dedicated space or lines for the participants to provide their signatures and the dates of signature. In some circumstances, a legally authorized representative can consent to participation in research on behalf of a subject who cannot consent for themselves—a parent for a minor aged child, for example, or a responsible adult for a person who lacks cognitive abilities. Special rules pertain to reliance on a person other than the participant, and assent by the participant is a common way to enhance the ethics of engaging a participant through a representative. RECs are positioned to answer questions about third party consent. In some cases, a consent form may be read to a participant, and in this circumstance, like all engagements in research, a participant should be given adequate time to read the documentation, ask questions, and reflect before signing. Note also that some RECs may have standards not requiring a witness signature or the signature of the person who obtains the informed consent from a participant.

5.3 Template Project Commitment to Students Engaged in Evaluation &/or Research Activities

Any student who considers taking part in [***NAME of evaluation or research project***] at the University of Cape Town is entitled to receive the following list of commitments.

The commitments of this list include the affirmative intent that any participating student:

1. Be informed of the nature and purpose of the evaluation and/or research activity in which students are engaged
2. Be given an explanation of the procedures involved whether interactive or pertaining to data about a student or produced by the student
3. Be given a description of any discomforts and/or risks (such as harms of discrimination) that may reasonably be expected from the activity
4. Be given an explanation of any benefits that may reasonably be expected from the activity
5. Be given a disclosure of any alternatives that may be advantageous to the student's personal circumstances
6. Be informed of any resources that may be available to the student if concerns or difficulties should arise or be identified in the course of involvement in the activity
7. Be given an opportunity to ask any questions or to express any concerns about the activity
8. Be instructed that a student may withdraw consent from evaluation and/or research activities at any time and that the student may decline participation in any such activity without prejudice or risk of any retaliation
9. Be given a copy of any signed and dated consent form
10. Be given an opportunity to decide to consent or not to consent without the intervention of any coercion, deceit, fraud, manipulation, or undue influence on the student's decision or decision-making process

_____ [Date]
Signature

Name
Title/Project Lead/Principal Investigator
Institutional Affiliation

5.4 Sample Request for Participation (Interview)

If you agree to participate in this project, a member of the research team will ask permission to interview you with a series of questions relating to your educational experience and background, course of study, study habits, interactions with peers, and accessibility of your professors. This interview will last approximately [one hour or other expected duration]. It will be conducted in private, at a time and place convenient to you. Your answers will be recorded on a special interview form that will not contain your name or contact information. A member of the research team will later transfer your answers to a password-protected data file accessible only through a secure network.

The research team has also been approved to obtain information about your academic records and transfer this information electronically to the data file.

A member of the research team may contact you after the interview to find out if you would be willing to answer some additional questions at a follow-up interview. You will not be re-contacted more than once for this project. No other personal information about you will be collected. The entire data collection process will take [duration of project], beginning in [year]. The team intends to retain study data for future research purposes, and may release de-identified data to collaborators and other researchers who agree to data security protections.

Do you have any questions or concerns?

IF YES, RESPOND

IF NO, SEEK AFFIRMATIVE EXPRESSION OF CONSENT TO CONTINUE

May we proceed to the interview?

5.5 Template Self-Assessment for Responsible Access and Use of Student Data [To Do]

5.6 Template Data Request Letter

A letter requesting permission to access and/or use data for research purposes can be a useful technique of initiating a relationship with a data custodian. The sample letter below is provided as a starting point for writing a letter in support of a specific project involving evaluation or research activities and student data. The specification of procedures, access and use plans, and final disposition of data will generally support the efforts of data custodians to make data available. Bona fide evaluation and research projects can convey the approval status, points of contact, and acknowledgment of policy controls and authorities of oversight. A compelling request will do these things. In addition, the use of marks or approvals (stamps, or electronic equivalent) from review committees, or the presentation of a request on official letterhead will build credibility, contribute to uniform practices, and ease recognition among data custodians of requests that benefit from rigorous preparation.

Sender's full name

Mailing address
number/email

Recipient's full name
address

Phone number/email

Date

Subject: (Reason for Data Request)

To Whom it May Concern (Name of Recipient and Title if Applicable):

This letter regards (Reason for requesting data). I am (Name of person requesting data), and I currently (work/study) in the (Name of University Faculty/Department or Business Unit). I am leading a project entitled "(Name of project)" that involves evaluation and/or research that depends on student data within the purview of your office. I write to formally request permission to access and use, consistent with applicable policies and procedures, the data listed in the attachment to this letter [Attachment]. Data collection for the project is expected to take place between (Dates for data collection), and the project is expected to be completed by (Close-out date). In connection with this project, I am prepared to honor requirements as to the final disposition of the data which may be returned, destroyed, de-identified or rendered as a limited dataset for future analyses in the discretion of your office.

The purpose of the project for which I request data may be summarized as follows: (Summary of project purpose)

The intended use of the data requested herein is to (specific aim or objective associated with requested data). The protocol for the project delineates who will have access to the data, for what purposes, and with applicable administrative, technical, and physical safeguards and is available for your review. The project also has been prepared with attention to privacy and confidentiality interests associated with student data, following guidance of the Data Analytics for Student Success (DASS) Ethical Framework. As applicable, a copy of the approval of the Research Ethics Committee of project oversight is attached to this letter.

On behalf of myself and my project team, we express our appreciation for your review of this request. If you have any questions or concerns, or require additional information, please contact me at: (Point of contact)

Sincerely,

(Signed Name)

5.7 Best Practices Guidance for Institutional Units regarding Student Data

The DASS Task Team recommends the practices described herein for governance and information security controls among Institutional Units that access, use, and serve as custodians for student data:

- *Assign levels of authority to custodians of data, defining both the scope and limitations of that authority in relation to the roles and responsibilities of these data custodians. Well-defined levels of data access afforded to individuals based on their roles and responsibilities serve to prevent unauthorised access and to minimise the risk of data breaches.*
- *Adopt and enforce policies and procedures in a written plan to ensure a shared, common understanding of the importance of data integrity and security.*
- *Identify the purposes for which the Institutional Unit collects student data, pairing the purposes to appropriate justification for the collection of any sensitive data.*
- *Specify any managerial and user activities related to responsible handling of data in order to ensure data users have the awareness and resources to comply with data security policies and procedures.*
- *Establish and communicate policies and procedures for handling student data (and records thereof) throughout all stages of the data lifecycle, including collection, maintenance, usage, archival storage, and/or return or destruction.*
- *Ensure student data are accurate, relevant, timely, and complete for the purposes these data are used for, and that the data are used only for intended purposes.*
- *Establish and regularly update strategies for preventing, detecting, and correcting errors and unauthorised uses of data.*
- *Log or maintain a record of each request for access to sensitive, individual level data and each disclosure of records containing student data, and indicate whether any re-disclosure by a data recipient will be authorised or appropriate and, if so, in what context and for what purpose(s).*
- *Deploy the following security features on the Institutional Unit systems: 1) Physical security; 2) Network mapping; 3) Authentication; 4) Layered defense architecture; 5) Secure configurations; 6) Access controls and firewalls; 7) Intrusion detection; 8) Intrusion prevention systems; 9) Automated vulnerability scanning; 10) Patch management; 11) Incident handling; 12) User Audit and compliance monitoring.*
- *Recognize the value of transparency. Ensure stakeholders, especially students, are informed of the data governance and security policies and procedures, or where they may access this information. The obligation of transparency may further extend to university authorities and government agencies that connect student data with integrated data systems, and that provide data to policymakers, staff and administration units, and students or their families within the community of the University.*

5.8 Real Time Ethics Consultation with Data Analytics for Student Success (DASS) Task Team

The DASS Task Team recognises that exemplary ethics in the use of student data benefits from a wide range of activities to which the Framework relates: ethics education, coordinating ethics consults, serving and participating in ethics committees, and doing cutting-edge research on ethical problems in the field of education. From this perspective the DASS Task Team accepts, in addition to its role in policy, procedure, and compliance, a role of direct engagement with professionals in the field of education—evaluators and researchers—to offer support at a project level. The DASS Task Team is available to provided ethics consultations to project leaders whose projects raise ethical and social concerns.

Real time consultations can serve a variety of purposes from grasping the impacts of University policy on the conduct of evaluations and research to indicating specific actions that might minimise risks and/or maximise benefits beyond the standards or levels previously planned and prepared under a protocol.

The DASS Task Team makes itself available on an informal basis to any member of the University community who or whose project or program may benefit from DASS expertise in working with student data. Subject to feasibility and capacity, the DASS Task Team welcomes opportunities to engage with:

- Evaluation and research project participants, especially students, about whom data are used for authorised purposes
- Evaluators and researchers
- Project coordinators and other staff
- University faculty, scholars, student researchers and educational professionals
- Regulatory committees and other institutional bodies including Research Ethics Committees (RECs) and offices, departments and/or business units of the University

The DASS Task Team is composed of experts in the fields of data analytics, education, research, and ethics. Members of the DASS Task Team represent a range of disciplines relevant to the training and interests of evaluators and researchers who seek to access and use student data to advance student success and enhance teaching and learning.

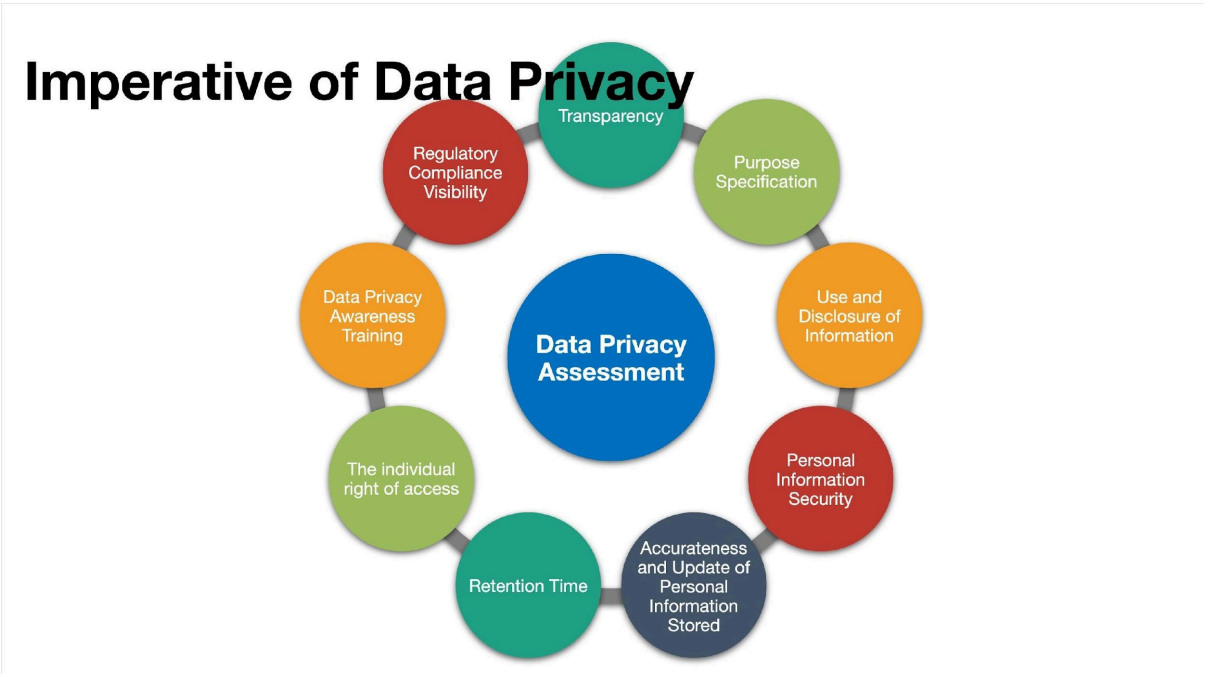
As may be appropriate to a consultation, the DASS Task Team will regard the identity of individuals requesting consultations and all data, ideas and ethical issues associated with a request for consultation as confidential. With permission from those requesting a consultation, de-identified descriptions of cases may be used for further evaluation, research and educational purposes.

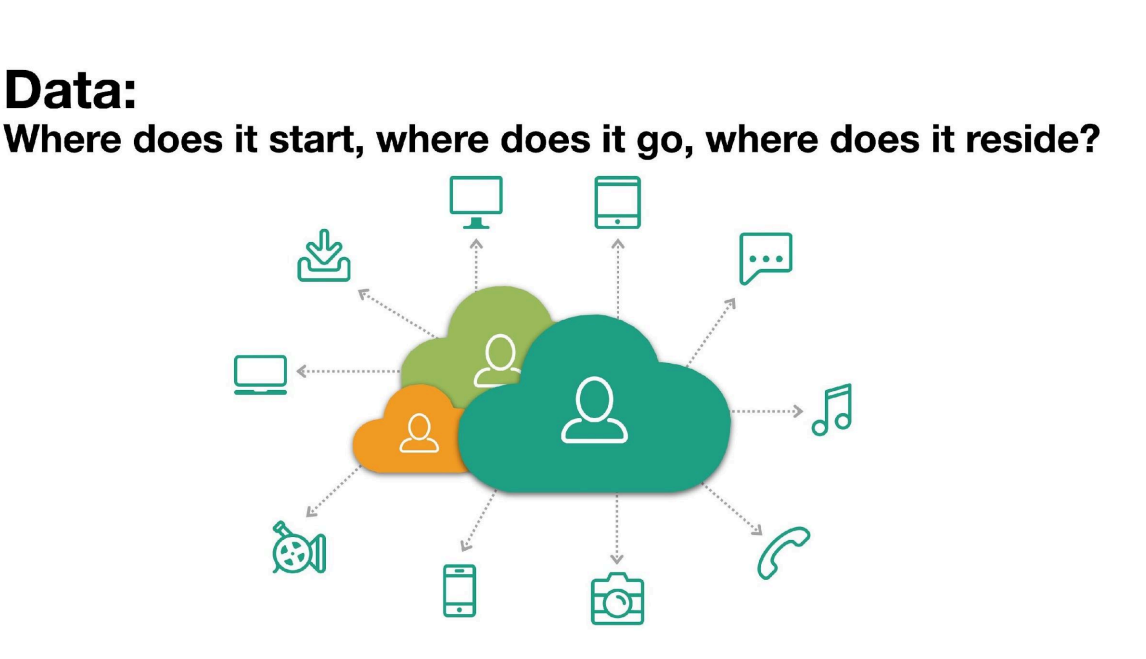
Requests that fall under the direct regulation and/or recommendation of another institutional body (such as the Office of Research Integrity, an REC, or one of more offices of a Faculty and/or the University) will be referred for appropriate, further consideration.

Consultation with the DASS Task Team is not a substitute or alternative for, nor intended to supersede the authority of an REC or any university policy or procedure associated with the adjudication of cases of scholarly or scientific misconduct. Not all topics can be optimally addressed through consultation, so the DASS Task Team may decline engagement in part or in full, as appropriate in response to a given request.

To request a Real Time Ethics Consultation, please contact the DASS Task Team at:
[Contact Information Email]

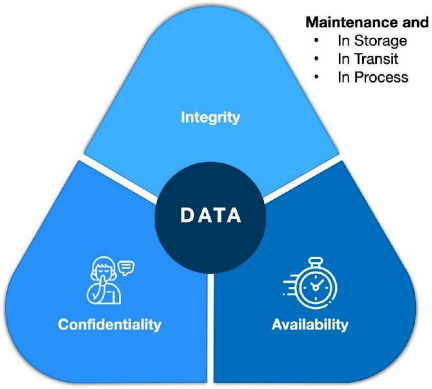
5.9 Graphics


Imperative of Data Privacy
Transparency
Purpose Specification
Use and Disclosure of Information
Personal Information Security
Accurateness and Update of Personal Information Stored
Retention Time
The individual right of access
Data Privacy Awareness Training
Regulatory Compliance Visibility
Data Privacy Assessment


Data:
Where does it start, where does it go, where does it reside?

Data:
Integrity, Availability, & Confidentiality

Maintenance and tracking changes
- In Storage
- In Transit
- In Process



Protection From
- Unauthorized access
- Unauthorized Use
- Disclosure

Protect Data
- Residing on Systems
- In Transit
- In Process

Controls to ensure
- Authorized Access
- Acceptable levels of use and utility
- Redundancy/Replicability
- Reliability/Validity
- Prevention of data loss or (unintended) destruction/ deletion

Data Curation and Life-Cycle in Evaluation & Research