Accessing Individual-Level Data at MMSD

Individual-level data refers to data associated with a specific person (e.g. John Smith's attendance rate), not aggregate data, which refers to data associated with a group of people (e.g. the attendance rate for Asian students in MMSD). Individual-level data is protected by FERPA. MMSD allows access to student, staff, or family individual-level data using three methods: (1) consent, (2) data use agreement, and (3) contract. If an external person (e.g. non-staff individual or staff operating in a non-staff capacity such as staff members pursuing an advanced degree, researcher, service provider, program staff, or volunteer) wishes to access individual-level data at MMSD, they must use one of those avenues. Without consent, an approved data use agreement, or contract, individual-level data will not be shared.

Consent

One way of accessing individual-level data is through consent, typically obtained for a research project approved through the MMSD External Research review process. When an external person (hereafter "user") wishes to use consent, the user can create a consent form and ask participants for their permission to release very specific types of data, and this consent form will need to be approved by the Research, Assessment & Improvement team (RAI). For example, in addition to the traditional aspects of a consent form, there could be a sentence included about participants releasing certain types of data to the user. This sentence would need to list the individual data elements the participant would be consenting to release (e.g., "attendance rates," "Forward Reading scores," "racial/ethnic identification"). At the end of the consent form, the user would provide participants with a check box indicating "I give MMSD permission to release the following data…" with the specific data elements listed again. If the participant does not check that box, the user is unable to access that participant's data. The user will then submit these signed consent forms to RAI to determine what data may be released for which participants. This is the easiest and least time-consuming method of acquiring individual-level data; however, each participant must agree to release their data, so users may end up with less data than hoped for if consent is not obtained for all participants. Additionally, users may not have a comparison group because in this situation MMSD can provide individual-level data only for those individuals for whom a consent form is received.

Data Use Agreement

Another way of accessing individual-level data is through a data use agreement, a legally binding document that undergoes an extensive review process that culminates with MMSD Board of Education approval. If a data use agreement is required as part of an external research project, the project must first be approved by MMSD before the data use agreement is drafted. The process of creating a data use agreement involves filling out a template, back-and-forth review between the user and an MMSD representative (usually a member of the MMSD RAI team), and then reviews by both the user's and MMSD's legal teams. Once the terms are agreed upon, the data use agreement goes to the Board as part

of their consent agenda. The Board discusses consent agenda items once a month and makes a determination to either approve or not approve items on the agenda. Then, there is approximately a one month lag time after the document is approved by the Board before the document is signed. Users should expect final approval to begin their work using this data no sooner than two months after the agreement is submitted for Board review. After approval, the user works with RAI to access the data. Data use agreements offer users access to individual-level data without the requirement of individual consent (e.g. access to comparative data from non-participants), but they are time-consuming and could be rejected by the Board.

Contract

Accessing individual-level data via a contract is another option. MMSD may enter into a contract with a vendor or individual to conduct work on behalf of the district (e.g., Education Resource Strategies), which generally is work that district staff would perform themselves but lack sufficient capacity or expertise to do so. These contracts often include an exchange of money for services. In many cases, contracts follow the selection of a vendor through an RFP process. Users conducting external research projects not initiated or requested by the district should not expect to access data via a contract. Contracts can specify the right for an individual, vendor, or organization to access individual-level data, but they almost always involve an exchange of money for services and connection to projects initiated or requested by the district.