

AMEND BOARD REPORT 09-0325-PO3
AMEND BOARD REPORT 07-1114-PO3
RESEARCH STUDY AND DATA POLICY

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Chicago Board of Education ("Board") amend the Research Study and Data Policy.

PURPOSE: The Board recognizes that the District's educational programs and services can benefit from academic study and study in the field of education. It is in the Board's best interest to establish a policy in support of research endeavors when the findings and results of these studies will be shared with the Chicago Public Schools ("CPS") to advance public education. This policy establishes the requirements for requesting authorization to conduct research in the Chicago Public Schools and/or to receive CPS data for research purposes and also establishes protocols to comply with federal and state laws regarding privacy of student records and the protection of pupils.

POLICY TEXT:

I. Applicability. This policy applies to individuals and entities who would like to conduct research activities in the Chicago Public Schools or who would like to receive and use Chicago Public Schools student data and/or staff data for research or evaluation purposes. This policy does not apply to requests made under the Freedom of Information Act ("FOIA") which are addressed in the Board's FOIA Policy on Compliance with Freedom of Information Act Requests.

II. Definitions. For purposes of this policy, the following definitions apply:

Board Contracted Research(er): Research conducted by individuals, organizations, or agencies not affiliated with the Board in accordance with their contract with the Board ~~or a memorandum of understanding with a CPS department or school.~~

External Research(er): (1) independent research conducted by individuals, organizations, or agencies not affiliated with the Board; (2) research conducted by Board employees for personal purposes outside of their work duties during non-work hours, (e.g. research for the completion of a master's thesis or doctoral dissertation or for any other personal purposes); or (3) educational product research conducted by a company or entity to study an educational product's effectiveness for potential sale to the Chicago Public Schools.

Researcher: collectively refers to both Board Contracted Researchers and External Researchers.

Parent: natural, adoptive, foster or step-parent with guardianship rights, a legal guardian or a temporary custodian with whom the student resides and who has assumed legal responsibility for the student.

Research: various evaluation, measurement and inquiry activities that include, but are not limited to any of the following or any combination thereof: (1) the systematic investigation, including research development, testing and/or evaluation, designed to develop or contribute to general knowledge; (2) collecting and analyzing of information aimed at discovering new facts and their correct interpretation to draw conclusions; and (3) quantitative and qualitative study activities such as observations, interviews, case studies, ethnographic analysis, analysis of written materials, secondary analysis of data, achievement testing, surveys, experimental designs to examine causal relationships, product testing and analysis of cost and management records.

Student data: includes (1) personally-identifiable student level data, (2) de-identified student level data, and (3) aggregate level student data.

Staff data: includes (1) personally-identifiable staff level data, (2) de-identified staff level data, and (3) aggregate level staff data.

III. General Provisions

A. Authorization: The Chief ~~Research, Evaluation and Accountability~~ Performance Officer or his/her designee shall approve or deny Researcher requests to conduct research in the Chicago Public Schools or receive CPS data as described in this Policy. ~~REA~~ The Office of Performance ("OP") may establish reasonable fees to charge Researchers for the review and evaluation of proposals and the compilation of data requested hereunder.

B. No Right to Access: There is no right to access Chicago Public Schools students, staff or data related thereto for research purposes. Access may be granted when determined to be in the best interests of the Board. If access is granted, Researcher may only access schools, students, staff and data relevant to the research as approved by the ~~Office of Research, Evaluation and Accountability~~ ("~~REA~~") OP.

C. Guidelines: ~~REA~~ OP shall establish guidelines, standards and procedures for evaluating requests to conduct research in the Chicago Public Schools or to receive data for research purposes and generally for implementing the requirements of this Policy. Researchers shall comply with all requirements specified by ~~REA~~ OP in their guidelines, standards and procedures.

D. Internal Research: Board employees who plan to conduct research as part of a work assignment or as part of their general job duties must obtain the prior approval of their supervisor prior to commencement of research activities.

IV. Proposals

A. Board Contracted Research Proposals: ~~Board Contracted Researchers may not begin research activities without first submitting the following materials to REA for approval:~~

i. Except as to research activities described in section IV.A.ii. below, Board Contracted Researchers who seek to conduct research activities in the Chicago Public Schools may not begin without first submitting the following materials to OP for approval:

1. A draft copy of their proposed Board contract or memorandum of understanding detailing the research activities; which includes:
 - a. Description of the study's design including but not limited to sample selection, instruments to be used, proposed research subjects and statistical analysis;
 - b. Whether the study has obtained institutional review board approval, if needed; and
 - c. Projected time and resource requirements for the Board, its employees and CPS students to participate in the study.
2. Description of any student data that Researcher would like to collect and Board-held student data that the Researcher would like to receive for use in the research study;
3. Description of any staff data that Researcher would like to collect and Board-held staff data that the Researcher would like to receive for use in the research study;
4. Description and sample of Researcher's notice and consent protocols for obtaining written consents from parents and all participants and how they are consistent with Section VI herein;

5. How the Researcher plans to protect and maintain the privacy of students and participants in a study consistent with Section VI herein; and
6. Such additional information as may be requested by REA OP.

ii. Board Contracted Researchers who wish to conduct secondary analysis research only using existing Board-held data and that does not involve data collection in the Chicago Public Schools, must obtain prior OP approval and must submit the information and materials identified below to OP for consideration.

1. Description of the research project;
2. Description of the Board-held student and/or staff data that the Researcher would like to receive for use in the research project;
3. Description of how the Researcher plans to protect and maintain the privacy of students and staff consistent with Section VI herein; and
4. Any additional information as may be requested by OP.

B. ~~External Research Proposals: External Researchers may not begin research activities without first submitting the information and materials identified in this Section to REA OP for approval. External Researchers who propose to conduct research activities in more than two schools must submit a full research proposal to REA that includes the following information:~~

i. Except as to research activities described in Section IV.B.ii. below, External Researchers who seek to conduct research activities in the Chicago Public Schools may not begin without first submitting a proposal that contains the following to OP for approval:

1. How the study will contribute to the profession of education and be of direct benefit to the Board;
2. Description of the study's design including but not limited to sample selection, instruments to be used, proposed research subjects and statistical analysis;
3. Whether the study has obtained institutional review board approval, if needed;
4. Projected time and resource requirements for the Board, its employees and CPS students to participate in the study;
5. Whether the Researcher has the support of the Officer or Chief Officer CPS department head responsible for the proposed subject area of the research study;
6. Description and sample of Researcher's notice and consent protocols for obtaining written consents from parents and all participants and how they are consistent with Section VI herein;
7. How the Researcher plans to protect and maintain the privacy of students and participants in a study consistent with Section VI herein;
8. Description of any student data that Researcher would like to collect and Board-held student data that the Researcher would like to receive for use in the research study;
9. Description of any staff data that Researcher would like to collect and Board-held staff data that the Researcher would like to receive for use in the research study; and
10. Such additional information as may be requested by REA OP.

~~External Researchers who propose to conduct research in only one or two schools, may submit an abbreviated proposal by completing an online Notice of Intent to Conduct Research on the REA website and providing all information requested in the online form. REA reserves the right to request a full research proposal from any External Researcher.~~

~~C. Data Only Proposals: Researchers that do not wish to conduct research activities in the Chicago Public Schools, rather only seek student and/or staff data for research purposes, must submit the information and materials identified below to REA for approval.~~

ii. External Researchers who wish to conduct secondary analysis research only using existing Board-held data and that does not involve data collection in the Chicago Public Schools, must obtain prior OP approval and must submit the information and materials identified below to OP for consideration.

1. Description of the research project;
2. Description of the Board-held student and/or staff data that the Researcher would like to receive for use in the research project;
3. Description of how the Researcher plans to protect and maintain the privacy of students and staff consistent with Section VI herein; and
4. Proof of consent for requests for personally-identifiable student level data or personally-identifiable staff level; and
5. Such additional information as may be requested by REA OP.

V. **Approval**

A. Notice of Approval or Acknowledgement. If a research proposal is approved, REA OP will issue a research approval letter to the Researcher. ~~REA will issue an acknowledgement letter to Researchers who only are required to complete the abbreviated submission requirements noted in Section III.B.~~ REA's OP's approval of a research proposal is limited to the study scope and methods outlined in the proposal or Board contract. Researcher must provide a copy of the research approval letter (or acknowledgement letter) to principals whose schools will be affected by the research project to notify them of REA's OP's project approval and, if applicable, the Board contract authorizing the research.

B. Limited Approval. REA's OP's approval/acknowledgement of an external research study is conditional and subject to further approval by the school principal(s) and research subject(s) that form the basis for the proposed study. A principal may place restrictions on an External Researcher's access to students and staff to minimize disruption to school activities.

C. Modifications. If a Researcher wishes to modify the research scope, methods or materially change the research activities, the Researcher must obtain prior written approval of the modification from REA OP. For Board Contracted Researchers, this obligation shall exist in addition to any other requirements regarding project modifications that may be specified in their contract or memorandum of understanding.

D. Duration. REA's OP's approval of an external research project will only be valid for a period of one year. If research activities extend beyond one year, the External Researcher must request approval for an extension from REA OP. REA's OP's approval of a Board Contracted Research project will be valid for the duration of the contract.

VI. **Requirements**

A. Consent Forms: Prior to conducting research activities or collecting information from students or staff, the Researcher must obtain the prior written informed consent of participants or of a parent on behalf of a student. For students who are 18 or over, the Researcher must receive written informed consent from the student. Students under 18 years old cannot participate in research without the informed consent of a parent. Prior to obtaining personally-identifiable student level data, the Researcher must obtain written consent from the parent on behalf of a student or from the student who is 18 or over. All consent form must comply with state and federal laws and regulations regarding confidentiality of student records and the protection of study participants.

B. Opportunity to Review Survey Assessment: Researcher must provide parents with notice of and the opportunity to review the survey/assessment instrument prior to being administered or distributed. A Researcher's consent documents shall inform parents of their right to review surveys or materials created by an External Researcher prior to the time it is administered or distributed. Researcher shall be responsible for assuring that a parent's request to review surveys or materials is granted in a reasonable manner and in a reasonable period of time.

C. Research Subjects: ~~Researchers may not conduct research on or study individuals known to the Researcher.~~ Researchers must use independent research subjects in their studies. Researchers must not have a position of authority over proposed research subjects or have a conflict of interest with proposed research subjects.

D. Data Requests: Researchers may not request data directly from schools or departments. All data requests must be submitted to REA OP for handling. Researchers may not receive data hereunder unless the Researcher provides REA OP with written evidence of compliance with the requirements of this policy. In particular, Researchers may not receive personally-identifiable student level data unless the Researcher also provides REA OP with written evidence that the parent or student, as appropriate, has consented to the release of student records.

E. Data Security Agreement: To receive access to Board-held student level data or staff level data, Researcher must sign a Data Security Agreement or other agreement approved by the General Counsel that identifies requirements for the storage, use, maintenance, protection, dissemination and destruction of data provided hereunder. The Data Security Agreement must be signed by the Researcher for each research proposal approved by REA OP. ~~The Data Security Agreement shall be signed in addition to any contract or memorandum of understanding signed for the project.~~

F. Additional Requirements: REA OP may place additional conditions on an External Researcher as deemed necessary including but not limited to requirements related to insurance and criminal background checks. REA's OP's approval of an external research project may be withdrawn for any reason at any time.

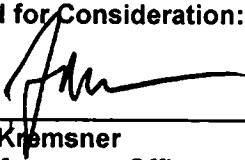
G. Completion of Study or Research: When the research study is completed, the Researcher must timely provide a copy of the final research results to REA OP. The Board reserves the right to use the information in the research report and research findings for educational programming or services, planning, solicitation of grants, staff development, and any other purposes to improve instruction or services to students of the Chicago Public Schools.

~~VII. CEO Consulting Agreements for District-Wide Research and Evaluation Services~~

~~In the event an organization is authorized by the Chief Executive Officer (CEO) to provide district-wide research and evaluation services to the CEO under a Consulting Agreement ("CEO Consulting Agreement"), the provisions of the CEO's Consulting Agreement shall supercede any contrary requirement(s) or obligation(s) set out in this Policy. Such CEO Consulting Agreement shall, at a minimum, describe the requirements for approving specific research projects including, but not limited to, the purpose of a study project, methodology used, data requested and such other information as the CEO may require and also the requirements for the receipt and handling of data. Any organization providing services under a CEO Consulting Agreement is subject to applicable federal and state laws regarding the release, collection, use, handling and destruction of student record information and employee record information. The policy exceptions contained in this Section VII. shall terminate effective June 30, 2010 unless extended by the Board.~~

LEGAL REFERENCES: Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §1232g; Protection of Pupil Rights Act, 20 U.S.C. § 1232h; Illinois School Student Records Act, 105 ILCS 10/1 et seq.

Reviewed for Consideration:



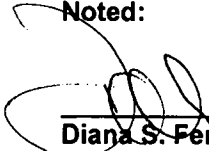
Sarah E. Kreamsner
Chief Performance Officer

Approved:



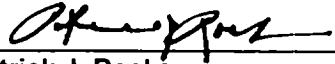
Ron Huberman
Chief Executive Officer

Noted:



Diana S. Ferguson
Chief Financial Officer

Approved as to Legal Form:



Patrick J. Rocks
General Counsel