

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: ABA-RB, EGG-RA, EGI-RA, JFF-RA JHC, JHC-RA, KBB
Responsible Office: Shared Accountability
Related Sources: *Family Educational Rights and Privacy Act (FERPA)*, 20 U.S.C. §1232g, 34 CFR Part 99; *Protection of Pupil Rights Amendment (PPRA)*, 20 U.S.C. §1232h, 34 CFR Part 98, (2000 and Supp. IV 2004); *Maryland Student Data Privacy Act of 2015*, Annotated Code of Maryland, *Education Article*, §4-131

Research and Other Data Collection Activities in Montgomery County Public Schools

I. PURPOSE

To assign responsibilities and establish processes for reviewing and coordinating research and other data collection activities in Montgomery County Public Schools (MCPS) in order to:

- A. Safeguard the privacy of current and former students, their parents/guardians, current or former employees, and other participants in MCPS-sponsored activities
- B. Limit interruptions in the instructional program
- C. Ensure the technical competency, the feasibility, and the appropriateness of research and other data collection activities in the public school setting

II. BACKGROUND

MCPS encourages education research and data collection that informs instructional and administrative decision making. However, MCPS is cognizant of the demands placed on students and employees to participate in these and other data collection activities mandated by state and federal agencies.

MCPS holds its internal research, evaluation, and assessment activities conducted through the Office of Shared Accountability (OSA) to high standards of methodological rigor. Similarly, MCPS holds external individuals or organizations seeking to collect data in

schools or offices to high methodological standards of research. In specific circumstances, MCPS permits entities specified in section IV.C below to utilize abbreviated application procedures for more informal data collection that is consistent with the discharge of their responsibilities and job functions to inform instructional or administrative decision making.

III. DEFINITIONS

- A. *Calendar of Research and Other Data Collection Activities* is a calendar listing research and other data collection activities scheduled through procedures outlined in this regulation. This calendar is maintained on the OSA webpage.
- B. *External individuals or organizations* are for-profit and not-for-profit research organizations, local/state/federal agencies, national study groups, doctoral candidates, and other external researchers, including entities responding to a MCPS Request for Proposal for external audits and research.
- C. *Instruments* are electronic or printed formats designed to acquire data. These include, but are not limited to, consent forms, surveys or questionnaires, focus group or telephone scripts, observation guides, and other tools necessary to complete a research or other data collection activity.
- D. *Internal entities* are MCPS employees; MCPS task forces, advisory groups, or committees.

Although the Montgomery County Council of Parent Teacher Associations (MCCPTA), Parent Teacher Associations (PTAs), and Parent Teacher Student Associations (PTSAs) are not internal entities, they may follow the procedures set forth in Section IV.C.

- E. *Research* is the use of systematic observational or experimental designs and instruments that provide reliable, replicable, and generalizable findings. Research typically includes analysis adequate to support findings and the dissemination of findings to contribute to scientific knowledge.

IV. PROCEDURES

- A. Research by External Individuals or Organizations, as well as MCPS Employees Proposing Studies for Master's Theses or Doctoral Dissertations, or research projects

1. External individuals or organizations, as well as MCPS employees proposing studies for master's theses or doctoral dissertations, or research projects, must use the following research review process:
 - a) Applicants submit a request *using the Online Request for a Research Activity (ORFARA) system available on the MCPS website at <http://sharedaccountability.mcpsmd.org/ORFARA/App.php>* and required attachments to OSA at least four weeks prior to the requested start date for research activity in MCPS. Required attachments include all associated instruments, Institutional Review Board (IRB) approved decision, and letter or e-mail of support from an associate superintendent and/or director impacted by the research study.
 - b) Research cannot begin until all instruments that are part of the request have been reviewed and approved.
 - c) OSA reviews the request to ensure that the applicant demonstrates a technically sound research methodology and that the activity is appropriate for the public school setting.
 - d) The chief of staff evaluates the request on the basis of its projected costs, response burden, and benefits to MCPS.
 - e) Signatures of both the associate superintendent of OSA, or designee, and the chief of staff are required for the study to proceed. If either party determines that the request requires further review, the request will be submitted to the superintendent of schools, who will determine whether it should be approved, disapproved, or submitted to the Montgomery County Board of Education for comment or approval.
2. Requests to conduct research in MCPS normally cannot be accepted after April 1 for the current academic year. Research activities involving students may not be conducted in MCPS from April 15 through September 15. MCPS reserves the right to establish other black-out dates as needed.
3. The following activities will not be approved:

- a) Activities designed to meet requirements for receiving credit in high school, undergraduate or graduate courses, seminars, practicums, or training workshops
 - b) Master's degree studies by persons who are not MCPS employees
 - c) Activities that do not fully meet the criteria set forth in this regulation
 - d) Research activities conducted in the school or office where the MCPS staff member is employed, unless approved by the chief of staff, the chief academic officer, the deputy superintendent of school support and improvement, and the chief operating officer.
4. Student and parent/guardian participation in research projects is voluntary. Participation of MCPS personnel also is voluntary unless specifically indicated by the chief of staff.
 5. MCPS employees may not authorize or participate in a research activity as defined above, unless the activity has been formally approved under the provisions of this regulation. Similarly, MCPS employees may not transmit instruments that have not been approved for distribution, consistent with this regulation.
 6. Researchers must provide one complete copy of each report or product developed as a part or outcome of the research project, and, upon request from MCPS, an executive summary of no more than 25 pages. Researchers may not charge MCPS for any of these reports, products, or summaries; and all will be provided within 30 days of the development of the report or product, or within 30 days of the end of the study, whichever comes first.

B. Data Sharing with Entities External to MCPS

Any entity operating in accordance with a contract or an agreement with MCPS must agree to the terms of a data sharing agreement. Contractor agreements will comply with all federal and state requirements with respect to staff and student information.

If an entity operating in accordance with a data sharing contract or an agreement with MCPS is merged with or acquired by another entity, the successor entity is subject to the agreement with respect to previously collected information.

C. Data Collection by Entities Internal to MCPS

1. Except for conditions described in Section IV.D., MCPS employees; MCPS task forces, advisory groups or committees; and MCCPTA, PTAs, and PTSAs requesting to collect information from employees in schools or offices are not required to submit a proposal narrative or an experimental design but must follow the steps below:
 - a) Applicants submit a request comprised of MCPS Form 226-21, *Request for an Internal Data Collection Activity*, and required attachments, which include a list of requested respondents and a copy of the instrument, to OSA at least two weeks prior to the requested start date for data collection activity in MCPS.
 - b) OSA reviews the request and makes a recommendation to the chief of staff, chief academic officer, the deputy superintendent of school support and improvement, and the chief operating officer, on the basis of the timing of the request, compliance with relevant MCPS regulations, and response burden.
 - c) The chief of staff, chief academic officer, the deputy superintendent of school support and improvement, and the chief operating officer review OSA's recommendation and evaluate the request to ensure that the activity is appropriate for the public school setting.
 - d) Signatures of the associate superintendent of OSA, the chief of staff, the chief academic officer, the deputy superintendent of school support and improvement, and the chief operating officer are required for the study to proceed. If any party determines that the request requires further review, the request will be submitted to the superintendent of schools, who will determine whether it should be approved, disapproved, or submitted to the Board for comment or approval.
2. The following limitations apply:
 - a) The burden on the respondent must be minimal, and the proposed number of questions should be limited (i.e., approximately five to seven questions is considered appropriate).
 - b) Applicants must consult the *Calendar of Research and Other Data Collection Activities*, posted on the OSA webpage, and avoid

scheduling data collection activities at the same time as previously scheduled research or during black-out dates for mandated assessments or surveys.

- c) Respondent participation in the data collection activity is voluntary, as described in section IV.A.4.

D. Data Collection Activities not Subject to this Regulation

1. Employee associations wishing to conduct data collection activities (e.g., surveys) of employees across units must gain approval from the Association Leaders/Deputies/Chief Operating Officer Collaboration Committee (ADC).
2. MCCPTA, PTAs, and PTSAs requesting information directly from parent/guardian members are not subject to this regulation.
 - a) Data collection activities requesting information from students, conducted by parents/guardians, MCCPTA, PTAs and PTSAs are not permitted.
 - b) Data collection activities requesting information from MCPS employees may be approved, subject to this regulation; however, data collection activities to address specific students or personnel actions are not permitted.
3. This regulation does not apply to the following:
 - a) Data-gathering procedures, tests, or other data-accessing forms that teachers develop and use to assess their assigned students' educational status and growth
 - b) Teachers having access to and using existing data required for these same instruction-related purposes
 - c) School leadership teams gathering, having access to, or using data that are inherently required and customarily used in the discharge of their responsibilities and functions, including:

- (1) Requesting data from students in their schools, community members located within their schools' attendance areas, or employees in their schools
- (2) Requesting data from employees under their direct supervision

V. CONFIDENTIALITY AND DATA SECURITY REQUIREMENTS

- A. The identity of and information about all research participants must be kept confidential in compliance with laws protecting privacy, including FERPA.
- B. No data or research findings will be presented or shared by the researcher or any of its staff with any individual or entity outside of MCPS—including in any national study—that could be linked to an identifiable MCPS staff member, school, or the district, without prior review and approval of the superintendent of schools/designee.
- C. Research records and instruments obtained must be properly secured and stored to prevent unauthorized access, destruction, use, modification, or disclosure.
- D. Applicants may not disclose information about research participants, schools, or the district to a third party, except as permitted under this regulation or required by law; engage in targeted advertising; or sell a student's information.
- E. Any known or suspected breach of data security and confidentiality regarding the research project should be reported immediately to OSA.
- F. Research records must be destroyed upon the termination of the project.
- G. Surveys must comply with the PPRA and the Maryland Student Data Privacy Act of 2015.

Regulation History: Formerly Regulation 340-2, January 5, 1973, revised July 1984; revised November 19, 1991; revised January 10, 2003; revised December 14, 2011; revised March 12, 2013; revised December 6, 2013; revised October 22, 2014; revised November 18, 2014; revised June 27, 2016.