



POLICY 2.142

4-A I recommend that the Board adopt the proposed revised Policy 2.142, entitled "Research in Palm Beach County Schools."

[Contact: Mark Howard/Marc Baron, PX 48781.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on May 16, 2012.
 - Per the Board's request, the following language was added at line 69: "*Delegation to the Superintendent*. Research request parameters not addressed in this policy shall be brought to the Superintendent or designee for review and approval."
- The proposed revised policy to guide research in the District. Specifically, the revised policy:
 - Applies to individuals and entities who would like to conduct research activities in the District, or who would like to receive and use District student or staff data for research or evaluation purposes. See Sec. 2.
 - Authorizes the Director of the Department of Research, Evaluation, and Assessment to approve or deny requests to conduct research in the District. No research can commence without such approval. See Sec. 4 (a). The approval is valid for a period of one (1) year. See Sec. 6d.
 - Provides for a one time application fee for the review, processing, and monitoring of research proposals from external researchers. Organizations, universities, professors and researchers are required to pay a \$150.00 application fee; graduate students are required to pay a \$50.00 application fee. Application fees are waived for District employees pursuing their Master's or Doctoral degrees. See Sec. 4(b)(i).
 - Provides that one has no right to access District students, staff or data and prohibits researchers from requesting data directly from District schools or departments. See Sec. 4 (c).
 - Requires District employees conducting research as part of their work assignment or general job duties to obtain permission from their supervisors. See Sec. 4 (c).
 - Establishes procedures for research proposals for District contracted researchers and proposals (Sec. 5(a),(b)) and for external research proposals and researchers (Sec. 5 (c),(d)).

- Provides that a school principal and research subject approval is required also. See Sec. 6b.
- Establishes priorities for research proposal selections. See Sec. 6e.
- Prohibits the use of any survey/assessment instrument that is contrary to federal law; requires the consent of student parents or of the student of legal age. See Sec. 7(c),(d).

POLICY 2.142

RESEARCH IN PALM BEACH COUNTY SCHOOLS

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3 1. **Purpose**

4 The School Board of Palm Beach County (Board) believes that responsible
5 research is necessary to evaluate and improve educational programs and
6 practices, and expects that research studies will be conducted with the ultimate
7 goal of improving teaching and learning in our schools. The Board further
8 recognizes that individuals and agencies may ask for permission to conduct
9 research in the school system. However, the Board acknowledges its responsibility
10 to ensure that research conducted in the school system is of high quality,
11 safeguards the privacy of individuals, furthers the goals of the Palm Beach County
12 School District, (District), and minimizes interruptions to the instructional program.

13 This policy establishes the requirements for requesting authorization to conduct
14 research in the District and/or to receive District data for research purposes. If
15 further establishes protocols to comply with federal and state laws regarding
16 privacy of student records and the protection of students.

17 2. **Applicability**

18 This policy applies to individuals and entities who would like to conduct research
19 activities in the District, or who would like to receive and use District student data
20 and/or staff data for research or evaluation purposes.

21 3. **Definitions**

22 a. Contracted Research(er) means research conducted by individuals,
23 organizations, or agencies not affiliated with the District in accordance with
24 their contract with the District.

25 b. External Research(er) means:

26 i. independent research conducted by individuals, organizations, or
27 agencies not affiliated with the District.

28 ii. research conducted by District employees for personal purposes outside
29 of their work duties during non-work hours, (e.g. research for the
30 completion of a master's thesis or doctoral dissertation or for any other
31 personal purposes).

32 iii. independent research conducted by individuals, organizations or
33 agencies but affiliated with the District through a Division or Departmental

- 34 contact to complete research for the District.
- 35 c. Internal Research(er) means research that is school and classroom-based that
36 involves studies initiated and conducted by teachers, administrators, and other
37 school staff. Internal Research involves teachers, aides, principals, and other
38 school staff as researchers who systematically reflect on their own teaching or
39 other work and collect data that will answer their questions.
- 40 d. Parent means a natural, adoptive, foster, or step-parent with guardianship
41 rights, a legal guardian, or a temporary custodian with whom the student
42 resides and who has assumed legal responsibility for the student.
- 43 e. Questionnaire or Survey means a tool commonly used in research to gather
44 data. These may include written questions, focus groups, and both formal and
45 informal interviews.
- 46 f. Researcher collectively refers to both Contracted Researchers and External
47 Researchers.
- 48 g. Research means a formal and systematic structure of investigation using
49 various evaluation, measurement, and inquiry activities that include, but are
50 not limited to any of the following or any combination thereof:
- 51 i. quantitative and qualitative study activities such as observations,
52 interviews, case studies, ethnographic analysis, analysis of written
53 materials, secondary analysis of data, achievement testing, surveys,
54 experimental designs to examine causal relationships, product testing
55 and analysis of cost and management records;
- 56 ii. collecting and analyzing of information aimed at discovering new facts
57 and their correct interpretation to draw conclusions;
- 58 iii. an investigation of research developments, testing and/or evaluation
59 designed to develop or contribute to general knowledge; and
- 60 iv. an investigation study and/or research activity used to solve immediate
61 problems involving teachers, administrators, and other school staff on the
62 job.

63 4. **General Provisions**

- 64 a. Authorization. The Director of the Department of Research, Evaluation,
65 and Assessment or his/her designee shall approve or deny requests to
66 conduct research in the District or receive District data as described in this
67 Policy. No research shall commence in the District without the approval of the
68 Director of the Department of Research, Evaluation, and Assessment.

- 69 i. Delegation to the Superintendent. Research request parameters not
70 addressed in this policy shall be brought to the Superintendent or
71 designee for review and approval.
- 72 b. Fees for Review and Evaluation of Research Proposals. The Department
73 of Research, Evaluation, and Assessment shall charge a one-time application
74 fee for the review, processing, specification of research parameters and
75 monitoring of research proposals. Such fees shall be published on the
76 Department of Research, Evaluation, and Assessment website and in its
77 publications. All fees shall be paid, or satisfactory arrangements made for
78 the payment of fees, prior to the processing of the research application. The
79 application fees shall be posted on the department's website.
- 80 i. Application Fee. The Department of Research, Evaluation, and
81 Assessment may impose fees as follows:
- 82 A. \$150.00 for organizations, universities, professors, or researchers.
- 83 B. \$50.00 for graduate students who are working on their Master's or
84 Doctoral degrees, but are not District employees.
- 85 ii. District Employees. A waiver of the application fee is granted to District
86 employees conducting research as a requirement for a Master's or
87 Doctoral degree.
- 88 iii. Other Fees. The Department of Research, Evaluation, and Assessment
89 may establish reasonable fees to charge Researchers for the production,
90 the compilation, or extraction of data for research purposes. Such fees
91 imposed by the Department of Research, Evaluation, and Assessment
92 shall be consistent with the Florida Public Records Laws.
- 93 c. No Right to Access. There is no right to access District students, staff, or
94 data related thereto for research purposes. Researchers may not request
95 data directly from schools or departments. Access may be granted when
96 determined to be in the best interests of the District. If access is granted,
97 Researcher may only access schools, students, staff, and data relevant to the
98 research as approved by the Department of Research, Evaluation, and
99 Assessment.
- 100 d. Internal Research. District employees who plan to conduct research as
101 part of a work assignment or as part of their general job duties must obtain the
102 prior approval of their supervisor prior to commencement of research activities.
103 Employees of the District often need access to sensitive information to carry
104 out their jobs, however this access does not grant them permission to use that
105 data for reasons other than the specific purposes for which they were granted
106 access. Schools and school staff are generally not considered "owners" of

107 data for purposes of determining the appropriateness of its release. A data
108 owner is the administrator, director or supervisor of the branch or division that
109 collects and/or uses the data on behalf of the entire District. Student
110 information used for the purpose of research falls under the purview of the
111 Director of Department of Research, Evaluation, and Assessment and all
112 research data requests must be directed to this office.

113 5. **Research Proposals**

114 a. District Contracted Research Proposals. Except as to research activities
115 described in Section 7 below, District Contracted Researchers who have
116 entered into a contract with the Board and who seek to conduct research
117 activities in the District may not begin without first submitting the following
118 materials to the Department of Research, Evaluation, and Assessment for
119 approval:

120 i. a draft copy of their proposed Board contract detailing the research
121 activities, which includes:

122 A. a description of the study's design including but not limited to sample
123 selection; instruments to be used, proposed research subjects, and
124 statistical analysis;

125 B. whether the study has obtained institutional review board approval, if
126 needed; and

127 C. projected time and resource requirements for the District, its
128 employees and District students to participate in the study.

129 ii. a description of any student data that Researcher would like to collect and
130 District-held student data that the Researcher would like to receive for
131 use in the research study;

132 iii. a description of any staff data that Researcher would like to collect and
133 District-held staff data that the Researcher would like to receive for use in
134 the research study;

135 iv. a description and sample of the Researcher's notice and consent
136 protocols for obtaining written consents from parents and all participants
137 and how they are consistent with Section 7 herein;

138 v. how the Researcher plans to protect and maintain the privacy of students
139 and participants in the study consistent with Section 7 herein; and

140 vi. such additional information as may be required by the Department of
141 Research, Evaluation, and Assessment.

- 142 b. District Contracted Researchers Using Only District-Held Data. District
143 Contracted Researchers who wish to conduct secondary analysis research
144 only using District-held data and that does not involve data collection, must
145 obtain the prior approval of the Director of the Department of Research,
146 Evaluation, and Assessment, or his designee, and submit the information and
147 materials identified below for consideration:
- 148 i. a description of the research project;
- 149 ii. a description of the District-held student and/or staff data that the
150 Researcher would like to receive for use in the research project;
- 151 iii. a description of how the Researcher plans to protect and maintain the
152 privacy of students and staff consistent with Section 7 herein; and
- 153 iv. any additional information as may be requested by the Department of
154 Research, Evaluation, and Assessment.
- 155 c. External Research Proposals. Except as to research activities described
156 in Section 5(d) below, External Researchers who seek to conduct research
157 activities in the District may not begin without first submitting a proposal that
158 contains the following to the Department of Research, Evaluation, and
159 Assessment for approval:
- 160 i. a description of the study's design including but not limited to sample
161 selection, instruments to be used, proposed research subjects and
162 statistical analysis;
- 163 ii. whether the study has obtained institutional review board approval, if
164 needed;
- 165 iii. the projected time and resource requirements for the District, its
166 employees and District students to participate in the study;
- 167 iv. a description and sample of Researcher's notice and consent protocols
168 for obtaining written consents from parents and all participants and how
169 they are consistent with Section 7 herein;
- 170 v. how the Researcher plans to protect and maintain the privacy of students
171 and participants in the study consistent with Section 7 herein;
- 172 vi. a description of and student data that Researcher would like to collect
173 and District-held student data that the Researcher would like to receive
174 for use in the research study;
- 175 vii. a description of and staff data that Researcher would like to collect and

176 District-held student data that the Researcher would like to receive for
177 use in the research study; and

178 viii. such additional information as may be requested by the Department of
179 Research, Evaluation, and Assessment.

180 d. External Researchers Using Only District-Held Data. External Researchers
181 who wish to conduct secondary analysis research only using District-held data
182 and that does not involve data collection in the District, must obtain the prior
183 approval of the Department of Research, Evaluation, and Assessment and
184 submit the information and materials below to the department for
185 consideration:

186 i. a description of the research project;

187 ii. a description of the District-held student and/or staff data that the
188 Researcher would like to receive for use in the research project;

189 iii. a description of how the Researcher plans to protect and maintain the
190 privacy of students and staff consistent with Section 7 herein; and

191 iv. any additional information as may be requested by the Department of
192 Research, Evaluation, and Assessment.

193 **6. Approval of Research**

194 a. Notice of Approval or Acknowledgement. If a research proposal is
195 approved, the Department of Research, Evaluation, and Assessment will issue
196 a research approval letter to the Researcher. The department's approval of a
197 research proposal is limited to the study scope and methods outlined in the
198 proposal or District contract. Researcher must provide a copy of the
199 department's research approval letter (or acknowledgement letter) to
200 principals whose schools will be affected by the research study and, if
201 applicable, the District contract authorizing the research.

202 b. Limited Approval. The Department of Research, Evaluation, and
203 Assessment's approval/acknowledgement of an external research study is
204 conditional and subject to further approval by the school principal(s) and
205 research subject(s) that form the basis for the proposed study. A principal
206 may place restrictions on an External Researcher's access to students and
207 staff to maintain a safe and secure school and to minimize disruption to
208 instructional and other school activities.

209 c. Modifications. If a Researcher wishes to modify the research scope,
210 methods or materially change the research activities, the Researcher must
211 obtain prior written approval of the modification from the Department of

212 Research, Evaluation, and Assessment. For District Contracted Researchers,
213 this obligation shall exist in addition to any other requirements regarding
214 project modifications that may be specified in their contract or memorandum of
215 understanding.

216 d. Duration. The Department of Research, Evaluation, and Assessment's
217 approval of an external researcher's project will only be valid for a period of
218 one year. If research activities extend beyond one year, the External
219 Researcher must request approval for an extension from the department. The
220 department's approval of a District Contracted Research project will be valid
221 for the duration of the contract.

222 e. Priorities for Research. Research proposal selection for approval will be
223 made in accordance with the following priorities:

224 i. highest priority will be assigned to research proposals which relate
225 directly to current District goals and objectives;

226 ii. second priority will be assigned to research proposals which promise a
227 direct benefit to instructional programs;

228 iii. third priority will be assigned to research proposals that show promise for
229 the extension of knowledge in a substantive field or fields related to, or
230 having implications for, education.

231 7. **Document, Character and Other Requirements**

232 a. Consent Forms. Prior to conducting research activities or collecting
233 information from students or staff, the Researcher must obtain the prior written
234 informed consent of adult participants or of a parent/guardian on behalf of a
235 student. Students under 18 years old cannot participate in research without
236 the informed consent of a parent. Prior to obtaining personally-identifiable
237 student level data, the Researcher must obtain written consent from the parent
238 or guardian on behalf of a student or from a student of who is of legal age or
239 emancipated. All consent forms must be submitted by the Researcher to the
240 Department of Research, Evaluation, and Assessment for approval and must
241 comply with the state and federal laws and regulations regarding
242 confidentiality of student records and the protection of study participants.

243 b. Good Moral Character/Background Screening. Researcher will provide
244 evidence of good moral character with the use of a District approved Affidavit
245 and will conduct himself/herself in an ethical and moral manner while
246 conducting research in the District. Any Researcher provided with a direct
247 access to one or more students must undergo background screening and
248 fingerprinting.

- 249 c. Survey/Assessment Instruments. Researcher must not use any
250 survey/assessment instrument that will:
- 251 i. involve the collection, disclosure, or use of personal information collected
252 from students for the purpose of marketing or for selling that information
253 (or otherwise providing that information to others for that purpose):
- 254 ii. require any student to submit to a survey/assessment that reveals
255 information concerning:
- 256 A. political affiliations or beliefs of the student or the student's parent(s):
- 257 B. mental or psychological problems of the student or the student's
258 family;
- 259 C. sex behavior or attitudes;
- 260 D. illegal, anti-social, self-incriminating, or demeaning behavior;
- 261 E. critical appraisals of other individuals with whom the student has a
262 close family relationship;
- 263 F. legally recognized privileged or analogous relationships, such as
264 those of lawyers, physicians, or ministers;
- 265 G. religious practices, affiliations, or beliefs of the student or student's
266 parent(s); or
- 267 H. income (other than that required by law to determine eligibility for
268 participation in a program or for receiving financial assistance under
269 such program), without the prior consent of the student if the student
270 is 18 or over, or without prior written consent of the parent if the
271 student is under 18.
- 272 d. Opportunity to Review Survey/Assessment Instrument. Researcher
273 must provide parents with notice of and the opportunity to review the
274 survey/assessment instrument prior to the survey/assessment being
275 administered or distributed. A Researcher's consent documents shall inform
276 parents of their right to review surveys or materials created by an External
277 Researcher prior to the time it is administered or distributed. Researcher shall
278 be responsible for assuring that a parent's request to review surveys or
279 materials is granted in a reasonable manner and in a reasonable period of
280 time.
- 281 The consent of a student's parent or guardian is required before a student
282 participates in any federally-funded survey dealing with sensitive topics as

283 outlined in subparagraph 7(c) above. For any other survey dealing with these
284 topics, regardless of funding source, a parent or guardian may opt the student
285 out of participation. These survey inspection, consent, and opt-out rights also
286 apply to those surveys including sensitive topics administered by the District
287 as part of its instructional program.

288 e. Research Subjects. Researchers must use independent research
289 subjects in their studies. Researchers must not have a position of authority of
290 proposed research subjects or have a conflict of interest with proposed
291 research subjects.

292 f. Data Requests. Researchers may not request data directly from
293 schools or departments. All data requests must be submitted to the
294 Department of Research, Evaluation, and Assessment for handling.
295 Researchers may not receive data hereunder unless the Researcher provides
296 the Department of Research, Evaluation, and Assessment with written
297 evidence of compliance with the requirements in this Policy. In particular,
298 Researchers may not receive personally-identifiable student level data unless
299 the Researcher also provides the Department of Research, Evaluation, and
300 Assessment with written evidence that the parent or student if 18 or over, has
301 consented to the release of student records.

302 g. Confidentiality/Data Security Agreement. To receive access to District-
303 held student level data or staff level data, Researcher must sign a
304 Confidentiality/Data Security Agreement or other agreement, as approved by
305 the Office of General Counsel, that identifies requirements for the storage,
306 use, maintenance, protection, dissemination, and destruction of data provided
307 hereunder. The Confidentiality/Data Security Agreement must be signed by
308 the Researcher for each research proposal approved by the Department of
309 Research, Evaluation, and Assessment.

310 h. Additional Requirements. The Department of Research, Evaluation, and
311 Assessment may place additional conditions on an External Researcher as
312 deemed necessary including but not limited to requirements related to
313 insurance and criminal background checks. The Department of Research,
314 Evaluation, and Assessment's approval of an external research project may be
315 withdrawn for any reason at any time.

316 i. Completion of Study or Research. When the research study is completed,
317 the Researcher must timely provide a copy of the of the final research results
318 to the Department of Research, Evaluation, and Assessment. The Board
319 reserves the right to use the information in the research report and research
320 findings for educational programming or services, planning, solicitation of
321 grants, staff development, and any other purposes to improve instruction or
322 services to students of the District.

323 ~~It shall be the policy of the Board to grant to the Superintendent the authority to~~
324 ~~establish criteria for conducting research in the public schools.~~

325 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.32; 1001.41; 1001.42; 20 U.S.C. §1232g
326 (Family Educational Rights and Privacy Act of 1974); 20 U.S.C. §1232h (Protection of
327 Pupil Rights Act); 45 CFR 46 Subpart D (Additional Protections for Children Involved as
328 Subjects in Research); Public Law 104-191; 45 CFR Parts 160 and 164 (Health
329 Insurance Portability and Accountability Act of 1996

330 LAWS IMPLEMENTED: Fla. Stat. §§ 119.071(5)(a) 2, 3 & 6; 1002.22; 1002.221;
331 1008.345; 20 U.S.C. §1232g (Family Educational Rights and Privacy Act of 1974); 20
332 U.S.C. §1232h (Protection of Pupil Rights Act); 45 CFR 46 Subpart D (Additional
333 Protections for Children Involved as Subjects in Research); Public Law 104-191; 45
334 CFR Parts 160 and 164 (Health Insurance Portability and Accountability Act of 1996

335 HISTORY: 9/12/73; 7/21/82; __/__/2012

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337 **Cross References:**

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339 Policy **5.50** *Student Records*

340 Policy **2.037** *Protected Health Information Privacy Policy*

341 Policy **2.041** *Public Records*

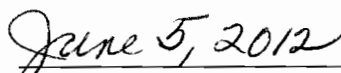
342 Policy **2.06** *School Visitation*

Legal Signoff:

The Legal Department has reviewed proposed Policy 2.142 and finds it legally sufficient for adoption by the Board.



Attorney



Date