



POLICY 2.142

5-A I recommend the Board approve development of the proposed revised Policy 2.142, entitled "Research in Palm Beach County Schools."

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

Development

CONSENT ITEM

- 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 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 b. Fees for Review and Evaluation of Research Proposals. The Department
70 of Research, Evaluation, and Assessment shall charge a one-time application
71 fee for the review, processing, specification of research parameters and
72 monitoring of research proposals. Such fees shall be published on the
73 Department of Research, Evaluation, and Assessment website and in its
74 publications. All fees shall be paid, or satisfactory arrangements made for
75 the payment of fees, prior to the processing of the research application. The
76 application fees shall be posted on the department's website.

77 i. Application Fee. The Department of Research, Evaluation, and
78 Assessment may impose fees as follows:

79 A. \$150.00 for organizations, universities, professors, or researchers.

80 B. \$50.00 for graduate students who are working on their Master's or
81 Doctoral degrees, but are not District employees.

82 ii. District Employees. A waiver of the application fee is granted to District
83 employees conducting research as a requirement for a Master's or
84 Doctoral degree.

85 iii. Other Fees. The Department of Research, Evaluation, and Assessment
86 may establish reasonable fees to charge Researchers for the production,
87 the compilation, or extraction of data for research purposes. Such fees
88 imposed by the Department of Research, Evaluation, and Assessment
89 shall be consistent with the Florida Public Records Laws.

90 c. No Right to Access. There is no right to access District students, staff, or
91 data related thereto for research purposes. Researchers may not request
92 data directly from schools or departments. Access may be granted when
93 determined to be in the best interests of the District. If access is granted,
94 Researcher may only access schools, students, staff, and data relevant to the
95 research as approved by the Department of Research, Evaluation, and
96 Assessment.

97 d. Internal Research. District employees who plan to conduct research as
98 part of a work assignment or as part of their general job duties must obtain the
99 prior approval of their supervisor prior to commencement of research activities.
100 Employees of the District often need access to sensitive information to carry
101 out their jobs, however this access does not grant them permission to use that
102 data for reasons other than the specific purposes for which they were granted
103 access. Schools and school staff are generally not considered "owners" of
104 data for purposes of determining the appropriateness of its release. A data

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

110 5. Research Proposals

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

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

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

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

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

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

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

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

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

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

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

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

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

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

183 i. a description of the research project;

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

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

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

190 6. **Approval of Research**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

322 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.32; 1001.41; 1001.42; 20 U.S.C. §1232g (Family
323 Educational Rights and Privacy Act of 1974); 20 U.S.C. §1232h (Protection of Pupil Rights Act); 45 CFR
324 46 Subpart D (Additional Protections for Children Involved as Subjects in Research); Public Law 104-
325 191; 45 CFR Parts 160 and 164 (Health Insurance Portability and Accountability Act of 1996

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

331 HISTORY: 9/12/73; 7/21/82; ___/___ 2012

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334 **Cross Refernces:**

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336 Policy **5.50** *Student Records*

337 Policy **2.037** *Protected Health Information Privacy Policy*

338 Policy **2.041** *Public Records*

339 Policy **2.06** *School Visitation*

Legal Signoff:

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

Attorney

Date