Forum Guide to Data Governance
Core Practices for Managing Data Requests

National Forum on Education Statistics

These core practices are discussed in more detail in Chapter 2 of the Forum Guide to Data Governance, available at https://nces.ed.gov/forum/pub_2020083.asp.

Data governance is important not only for how a state or local education agency (SEA or LEA) handles data internally but also how an agency works with other agencies, researchers, and members of the public to use data. Education agencies may receive many types of data requests, including those from researchers, Freedom of Information Act (FOIA) requests, requests from legislators, and requests from community organizations that partner with schools to provide services to students and families, as well as internal leadership and staff. Core practices for managing data requests that include detailed policies and procedures can contribute to a robust data sharing process that is understood by all parties. These practices can be customized to best meet the data sharing, management, privacy, and security requirements of each agency.

1. **Help Researchers and Other Data Requestors Understand Agency Data and the Data Request Process**–By helping individuals better understand data available from the agency and the circumstances in which requests may be approved, SEAs and LEAs improve the likelihood that data will be used and interpreted appropriately within the context of a research plan or other intended data use. When particular data requests require technical and data expertise in order to properly access, use, and manage data (such as research datasets or individual-level files), prospective users should meet any and all training expectations set forth by the education agency–not as a courtesy, but as a requirement to receive access.
2. **Create Effective Data Request Forms and Procedures for Those Requesting Data**–Creating standardized forms and specific procedures for individuals to use when submitting data requests will streamline both the request and evaluation process. When designed and implemented wisely, data request forms can help requestors accurately identify the data that they are requesting and present the request in a format that concisely, yet comprehensively, describes their vision for research or other data use. The more effective the request form and related steps, the less of a burden there is on agency staff during the evaluation of the request, and the less likelihood of unnecessary delays in the review process.
3. **Review Data Requests Strategically**–When reviewing data requests, SEAs and LEAs not only have an opportunity to assess whether the data they have available for requestors will benefit the research or other data use, but also how the proposed use of the data can be harnessed to improve the agency's policies and operations (and potentially the larger education world). Data use proposals should reflect the priorities of the agency, align with agency policies, and warrant staff time to fulfill. Not all requests can be ethically or legally fulfilled. Additionally, education agencies have different policies regarding what they can provide. Some may provide only readily available data, and some calculate costs for accessing and compiling requested data.
4. **Manage and Document the Data Request Process Efficiently**–Consistently, transparently, and promptly managing and documenting data requests is best practice. Policies designed to govern data requests, including those for research proposals, should accurately reflect the priorities and interests of the agency, clearly establish expectations for those requesting data, and effectively describe the process of having a data request evaluated. When establishing policies for data use, the agency can address who is eligible

to use data accessed through the agency; timelines for data access; fee structures (if any); and expectations for any professional interactions with human research subjects and data confidentiality, security, and destruction.

5. **Release Data Appropriately**—Once a request has been reviewed and approved, any necessary training expectations have been met, and the requestor has certified adherence to all requirements (when applicable), the data are nearly ready to be released. Providing data (and relevant metadata) in a format and medium that have been explained to the requestor is best practice. In order to protect data from potential misuse, technical and statistical tools can be used to help protect the privacy and confidentiality of education data even after release. Suppression, masking, de-identification, anonymization, or other methods of protection can have significant ramifications on the analysis and interpretation of the data. Agencies can help to ensure that requestors understand why and how the released data have been modified.

Beyond the steps noted above, data requests from researchers and partner organizations require additional attention and diligence for monitoring and use. The steps below reflect these needs, and should be considered by agencies that have these types of requests.

6. **Monitor Researchers' and Partners' Data Use**—Because an education agency's responsibility to ensure proper data use does not end when data are released to a researcher or other partnering entity, an SEA or LEA should commit to monitoring the requestor's management and use of the data, especially when personally identifiable data have been shared. Monitoring encourages clear and ongoing communication between the SEA/LEA and requestor. Carefully designing and monitoring contracts and MOUs with users is best practice, especially vendors who may have requested data. Agencies must be aware of what vendors want to do with the data, and MOUs should include requirements for data destruction. Best practices suggest that agencies require active affirmation—that is, users are not simply told they have to destroy the data but are required to send data destruction assurances under legally binding agreements.
7. **Use Research Findings and Other Useful Information in the Agency**—If the agency is thoughtful about specifying the expected benefits of the proposed research or other data use during request negotiations, and integrates those expectations into subsequent agreements, then a post project follow-up process is appropriate. In some cases, research results or other data artifacts can be adapted or adopted by an agency for policy development, program review and improvement, or the resolution of technical and operational issues.
8. **Maintain Records**—Keep a record of the request and the response so the data or specific report can be used in the future to efficiently fulfill similar requests that may be received later, and so that there is an evidentiary trail as to what information has been shared (and with whom). FERPA has specific requirements for recordkeeping about requests and disclosures (see https://studentprivacy.ed.gov/node/548/#0.1_se34.1.99_132).

For more information on core practices specifically related to research requests, see the *Forum Guide to Supporting Data Access for Researchers: A State Education Agency Perspective* (https://nces.ed.gov/forum/pub_2012809.asp) and the *Forum Guide to Supporting Data Access for Researchers: A Local Education Agency Perspective* (https://nces.ed.gov/forum/pub_2014801.asp).