

Guiding Principles

- **The North Dakota SLDS will prioritize research requests involving cross-sector linked data and analysis.**

This principle asserts that the ND SLDS focuses on cross-sector data use. Thus, SLDS may refer any research requests limited to one sector such as K-12 education, postsecondary education, or workforce information to the appropriate agency or partner data provider.

- **SLDS data and/or research requests are subject to an approval process by contributing agencies.**

This principle ensures that all data and research requests are appropriately reviewed by representatives from state agencies which contribute data to the SLDS. Requests involving personally identifiable data (PII) will require additional steps to be approved. In such cases, approval from an IRB and a data sharing agreement will be required in addition to proposal approval.

- **Protecting the privacy of individuals is a priority.**

This principle governs all actions the ND SLDS undertakes and recognizes that the protection of an individual's privacy is a primary concern for all state agencies, partner data providers, and users of the SLDS system. This requires users to be aware of and respect the differing data privacy requirements of the various data sets included in the SLDS. **This means that any person to whom education records or unemployment compensation wage data is disclosed for a research project must agree to comply at all times to applicable Federal and state laws restricting the use and disclosure of confidential education records or unemployment compensation wage data.**

North Dakota SLDS Data Available

- K-12 Enrollment
- K-12 Assessments
- K-12 Course Taking and Grade Information
- Postsecondary Enrollment in North Dakota University System Schools
- Postsecondary Degrees and Certificates in North Dakota University System Schools
- Postsecondary Enrollment and Degree Completion Information from the National Student Clearinghouse
- Unemployment Insurance Wage Records and Industry of Employment
- Data Dictionary

For more information regarding data elements that are present in the ND SLDS, please visit the data dictionary, available at <https://slds.ndcloud.gov/public/SitePages/Public%20View.aspx>

Definitions

- **Contributing State Agencies**

Refers to the state agencies with primary responsibility for the SLDS, and the data contained therein. This includes the North Dakota Information Technology Department (ITD), North Dakota University System (NDUS), North Dakota Department of Public Instruction (DPI), and Job Service North Dakota (JSND).

- **Data**

Categories of data in the North Dakota SLDS ordered from most to least sensitive:

Individual-Level Data: Data on unique individuals, which may or may not be personally identifiable information (PII).

Personally Identifiable Information (PII): These are data that identify the individual. For the purposes of education records, PII is defined by federal law as information that includes, but is not limited to a student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier such as the student's Social Security number or student identification number; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; and information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

De-Identified Data: These are data lacking any PII. With such data, there is no reasonable basis to believe that the information can be used to identify an individual. De-identified data may involve a re-identification code that may allow the data requestor to match other information from the same source. Only authorized SLDS personnel may be capable of linking re-identification codes with PII.

Aggregate Data: Statistical records and reports aggregated from data on individuals in a way that individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable.

- **Data Sharing Agreement**

This is a statement signed by representatives of the contributing state agencies and one or more parties seeking to share data. It outlines the purposes of the data sharing and any legal restrictions, conditions, and potential violations.

- **Data Usage Agreement**

This is a statement outlining the appropriate uses of the data. It requires each user with access to SLDS data to accept the conditions of use before being granted access to data or reports.

- **Directory Information**

For the purposes of education records, federal law defines directory information as information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. See federal guidelines here: <https://www2.ed.gov/policy/gen/guid/fpco/faq.html#q4>

- **SLDS Research Workgroup**

The ND SLDS Research Workgroup is a collection of individuals involved in research tasks from each of the contributing state agencies. These individuals work to provide technical guidance and support for any research or data request involving SLDS data.

- **SLDS Committee**

The ND SLDS Committee comprises leaders or their designees of the contributing state agencies, along with others, and have primary responsibility for the SLDS. This group is the final decision-making body for the ND SLDS.

- **Suppression Rules**

These are analytic techniques used for appropriately protecting private or confidential data. Methods involve removing data (e.g., from a cell or a row in a table) to prevent the identification of individuals in small groups or those with unique characteristics. This method may result in very few data being produced for small populations, and it usually requires additional suppression of non-sensitive data to ensure adequate protection of PII. Suppression rules may apply to summary reports or specific reports based on the combination of data elements included. The SLDS Research and Data Advisory Committees have agreed that suppression of cell sizes less than 10 individuals may be used for public reporting. Data reported in ranges rather than concrete values is another approved method of data suppression and privacy protection. Best practices for data suppression for the purposes of appropriately protecting private or confidential data were issued by the U.S. Department of Education in 2011 (NCES 2011-603).

Maintaining the Privacy and Security of Individual Information

- **Annual Training:** To ensure the privacy and security of individual information within the SLDS, all users of the SLDS are required by North Dakota Century Code to complete yearly data privacy trainings. The specific legislation can be found in 54-59-34.4.f, located at <http://www.legis.nd.gov/cencode/t54c59.pdf#nameddest=54-59-34>
- **Record of Access:** Data security standards and federal law mandate that contributing state agencies maintain a record of each request of and disclosure of personally identifiable information from the North Dakota SLDS. These records are maintained as long as the data are maintained and include the full details of the request, including the parties who have requested or received the information.
- **Destruction of Data:** Any entity receiving SLDS de-identified or anonymized data must destroy such data when it is no longer needed within the specified study time period or for the purpose for which the study was conducted. The manner of destruction shall protect the confidentiality of the information and include the purging of all copies from computer systems. The SLDS Research Workgroup must receive written confirmation of the method and date of destruction of data disclosed from SLDS. For PII, there will be a set date in the data sharing agreement that the data needs to be destroyed by.
- **In Event of Unauthorized Access:** Any North Dakota state agency that collects, creates, receives, maintains, or disseminates PII must disclose any breach of the security of the data following discovery or notification of the breach. In addition, any confidentiality breach will be reported to the SLDS Committee for further action.

Levels of Access

- **Level 5:** Public level access to the SLDS. Allows viewing of aggregate reports and/or data. Public research requests may be made and require SLDS Research Workgroup approval.
- **Level 4:** Allows access to de-identified, student level data. If working with an IRB, evidence of either IRB approval or waiver may be required at this level, in addition to SLDS Research Workgroup approval.
- **Level 3:** This level of access handles requests involving identifiable, student level data. If working with an IRB, evidence of IRB approval is required. SLDS Research Workgroup approval is required, as well as a data sharing agreement.
- **Level 2:** Individuals with this level of access are authorized researchers jointly conducting data preparation across data domains. This includes state agency authorized staff members and researchers.
- **Level 1B:** This level of access allows staff members of contributing agencies to access their agency's data within the SLDS.
- **Level 1:** Individuals at this level are the authorized staff members who operate and manage the SLDS data system.

Procedure for Requesting Access to SLDS Data

Authorized SLDS Researchers within contributing agencies: Authorized SLDS researchers are authorized research individuals that may come from contributing agencies and may request de-identified data across agencies where there are data sharing agreements in place.

External Request - Sponsored: External requests originate from individuals or organizations who have research and/or academic credentials or associations. External requests could originate from a contributing state agency if they are cross-agency. External requestors may be granted access to anonymized data or summary reports.

Public Request: Summary reports will be periodically made available on the SLDS website. Requests to create new summary reports can be made via the SLDS website and do not require a Data Sharing Agreement. An example of a public request would be a media request for data on postsecondary participation rates of high school graduates by school district.

SLDS Data Access Request Information/Process

The SLDS Research Workgroup functions as a decision-making body and recommends approval or denial of a data access request. The role of the SLDS Research Workgroup is to screen data access requests to ensure they meet the criteria recommended by the SLDS Committee.

Guidelines for Conducting SLDS Research

- The study must be in alignment with state priorities and/or to the benefit of the State of North Dakota.
- The study must have the potential to make a definite contribution to contributing state agencies.
- Researchers requesting data must use sound research design and may only share conclusions from the data that are scientifically tenable.
- The project must comply with ethical standards for research in education and with all regulations set forth in federal and state law, particularly as they pertain to privacy of data on individuals.

Timeline for Data Access Request Review

Data access requests are reviewed twice monthly by the SLDS Research Workgroup. The entire approval process is likely to take 3-6 months, depending on the quality, type of request, and number of data elements requested.

SLDS Data Access or Research Request Requirements

1. Submit a Complete Research or Data Request

Each organization or individual requesting access to SLDS Data or requesting research to be performed must submit a complete Research/Data Request Form via the SLDS website. The research request form must include the following information:

- Title of research or data request
- Requestor name, contact information, and agency affiliation
- Summary of research and/or data requested
- How the research and/or data will be used
- How the research or data request aligns with North Dakota state priorities
- Desired completion date for the data or research request.

2. Additional Steps for Data Requests

If your request is for data to be returned from the SLDS, the following additional items must also be included with your request:

- Summary of data fields requested
- Summary and hypotheses of research using the data requested
- IRB approval
- How the results of the research will be used and the intended audience for the results
- Anticipated date of data destruction

3. Review by SLDS Research Workgroup

Once a completed Data or Research Request has been submitted, the SLDS Research Workgroup will review the request for quality and alignment with North Dakota priorities. The SLDS Research Workgroup will respond to your request following review in one of three ways:

- Approve the request
- Request additional clarification and/or revisions to your research or data request
- Deny the request

4. Data Sharing Agreement

If making a request for data, and the request is approved, a data sharing agreement (if required) and means of data transfer will be coordinated between the requestor and the SLDS Research Workgroup.

5. Completion of Research

Completion of the research objectives require the requestor to submit research findings for review by the SLDS Research Workgroup and, if applicable, comply with requirements for data destruction. Requestors must provide the SLDS Research Workgroup with an electronic report of final research results for review by contributing SLDS agencies prior to publication. In addition, publications using SLDS data should acknowledge the contribution of the North Dakota SLDS.