



# **SCHOOL BOARD ACTION REPORT**

**DATE:** October 31, 2017  
**FROM:** Dr. Larry Nyland, Superintendent  
**LEAD STAFF:** Eric Anderson, Director, Research & Evaluation  
[emanderson@seattleschools.org](mailto:emanderson@seattleschools.org); Michael Tolley, Associate Superintendent,  
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**For Introduction:** November 15, 2017  
**For Action:** December 6, 2017

## **1. TITLE**

Repeal of School Board Procedure E14.04, Research Activity and Test Administration Procedure, and Adoption of new School Board Policy No. 4280, Research Activity

## **2. PURPOSE**

This Board Action Report updates the District's Research Activity policy by adding language on student data privacy protections and including a Superintendent Procedure on external research review. Language in the previous Board Procedure about third-party test administration will be moved to a new superintendent procedure, 2080SP.B, Third-Party Test Administration.

## **3. RECOMMENDED MOTION**

I move that the School Board repeal Board Procedure No. E14.04, Research Activity and Test Administration, and adopt new Board Policy No. 4280, Research Activity, as attached to the Board Action Report.

## **4. BACKGROUND INFORMATION**

- a. **Background.** Currently, the policy has language in two unrelated areas: research activity and test administration. For the research activity component, we propose language to address student data privacy protections and supplement policy language with a Superintendent Procedure that is aligned to the district's research review processes established in June 2016. Test administration language is better placed with the Superintendent Procedure for assessment policies and practices, Policy No. 2080. Additionally, this change is proposed because Procedure E14.04 has been slated for review to update to the new numbering system for School Board policies.
- b. **Alternatives.** We considered three options.
  - 1) Remove the test administration language into a separate policy – Not recommended, as test administration is related closely to Policy No. 2080 and does not merit a separate policy.
  - 2) Keep the policy as is and simply change the numbering system – Not recommended, as keeping together these two topics in one policy is confusing and possibly misleading (i.e. that the two are inextricably linked).

- 3) Move the test administration language to a superintendent procedure related to assessment – Recommended.

c. **Research.**

Not applicable.

**5. FISCAL IMPACT/REVENUE SOURCE**

Fiscal impact to this action will be **none**.

The revenue source for this motion is **not applicable**.

Expenditure:  One-time  Annual  Multi-Year  N/A

Revenue:  One-time  Annual  Multi-Year  N/A

**6. COMMUNITY ENGAGEMENT**

With guidance from the District’s Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

Research review processes have been in place in Seattle Public Schools since June 2016. During the design/planning stage, the Research & Evaluation department conducted outreach to school leaders, district leaders, external researchers, and other districts’ research offices to get feedback on ideal processes and procedures. The Department regularly reported on progress to these goals to the Board C&I Committee and in Friday Memos to the Board.

For this BAR process, R&E has additionally reached out for Tier 1 engagement in the following ways:

- School Leader Communicator notice (October 12, 2017) reminding school leaders of processes and soliciting feedback
- Making available research review resources on the Seattle Public Schools website (with contact information) to ensure accessibility for all community members
- Informational communication with PASS and SEA leaders about research review processes, including student data privacy protections.

**7. EQUITY ANALYSIS**

The Racial Equity Analysis tool has not been applied to the proposed changes to Procedure E14.04, since the proposals are mainly to move existing language from one place to another. The Racial Equity Analysis tool has been applied, however, to the proposed Superintendent Procedure for research review.

**8. STUDENT BENEFIT**

The revisions to E14.04 explicitly state that research projects must comply with existing legal and ethical codes for the protection of primary data collected from both staff and students. This includes the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA).

**9. WHY BOARD ACTION IS NECESSARY**

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. \_\_\_\_\_, [TITLE], provides the Board shall approve this item
- Other: \_\_\_\_\_

**10. POLICY IMPLICATION**

E14.04 – Research Activity and Test Administration (current Board procedure)  
2080 – Assessment (test administration language would move to SP related to this policy)

**11. BOARD COMMITTEE RECOMMENDATION**

This motion was discussed at the November 7, 2017 Curriculum and Instruction Policy Committee meeting. The committee reviewed the motion and moved the item forward with a recommendation for approval by the full Board.

**12. TIMELINE FOR IMPLEMENTATION**

Upon approval of this motion, the policy will be finalized. No additional training or community engagement is required.

**13. ATTACHMENTS**

- New Board Policy No. 4280, Research Activity – clean (for approval)
- New Board Policy No. 4280, Research Activity – redline from E14.04 (for reference)

- Board Procedure E14.04, Research Activity and Test Administration (for repeal)
- New Superintendent Procedure 4280SP, Research Review Process (draft -- for reference)
- New Superintendent Procedure 2080SP.B, Third-Party Test Administration (draft -- for reference)

	<p>RESEARCH ACTIVITY</p>	<p>Policy No. 4280</p> <p>Date</p> <p>Page 1 of 1</p>
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Third party agencies or organizations that conduct research in Seattle Public Schools must comply with all federal and state laws as well as all Seattle Public School policies, procedures, and guidelines.

Permission to conduct research activities must be granted by central administration. Research proposals will be reviewed for the relevance of research (i.e. alignment to district strategic goals and priorities); rigor of research methodology; risk/benefit to participants; and burden to the district/schools. All principals and program managers may refuse to allow research projects to be conducted in their schools unless required by law or the Superintendent.

Research projects must comply with all applicable laws, regulations, and ethical codes, including the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA). Research projects involving primary data collection from students or staff must be authorized by a Human Subjects Review Board, and researchers must undergo necessary clearances before contact is permitted. Research projects involving the collection of identifiable student-level data must obtain prior written and active informed consent of a parent/guardian on behalf of a minor student before data collection commences. Research projects involving analysis of student-level secondary data must have a Data Sharing Agreement between the District and the external party conducting the research prior to transfer of data.

Adopted: DATE

Revised:


Cross Reference:

Related Superintendent Procedure: 4280SP

Previous Policies: E14.04

Legal References: The Health Insurance Portability and Accountability Act of 1996 (HIPAA; Pub.L. 104-191, 110 Stat. 1936, enacted August 21, 1996); Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98); Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99)

Management Resources:

	RESEARCH ACTIVITY AND TEST ADMINISTRATION	<del>Procedure E14.04</del>  August 2007 <u>Policy No. 4280</u>  <u>Date</u>  Page 1 of 2
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**Board-Adopted Procedure**

Third party agencies or organizations that conduct research ~~or administer tests to~~ in Seattle Public ~~School students during the school day or on school property~~ Schools must comply with all federal and state laws as well as all Seattle Public School policies, procedures, and guidelines.

Permission to conduct research activities must be granted by central administration. ~~Permission to administer tests at a particular school must be granted in advance by the school principal or his or her designee.~~ Research proposals ~~or tests that show a direct academic or career~~ will be reviewed for the relevance of research (i.e. alignment to district strategic goals and priorities); rigor of research methodology; risk/benefit to the District or to students and have little inconvenience or cost to Seattle Public Schools have a greater chance of approval. participants; and burden to the district/schools. All principals and program managers may refuse to allow ~~testing or~~ research projects to be conducted in their schools unless required by law or the Superintendent.

When applicable, research projects must comply with existing legal and ethical codes, including the Health Insurance Portability and Accountability Act (HIPAA), the Family Educational Rights and Privacy Act (FERPA), and the Protection of Pupil Rights Amendment (PPRA). Research projects involving primary data collection from students or staff must be authorized by a Human Subjects Review Board, and researchers must undergo necessary clearances before contact is permitted. Research projects involving the collection of identifiable student-level data must obtain prior written and active informed consent of a parent or legal guardian on behalf of a minor student before data collection commences. Research projects involving analysis of student-level secondary data must have a Data Sharing Agreement between the District and the external party conducting the research prior to transfer of data.

~~When voluntary admission, aptitude, or career-enhancing tests are administered to students, schools that offer the test must inform students or parents or both that the test is voluntary.~~

~~When outside tests are administered at school, the complete name of the test and testing organization should be given to students and families. For example, students or their parents/guardians or both should be informed that the AP Exam is the Advanced Placement Program® (AP®) Exam, administered by the College Board; and that the ASVAB is the Armed Services Vocational Aptitude Battery, administered by the Department of Defense.~~

~~Schools may not release individual research or testing data it receives back from an outside agency or organization, unless such a release is permitted under the Families Educational Right to Privacy Act.~~

~~School administrators or school staff that permit testing by third-party agencies or organizations should review test procedures and inform students or parents/guardians or both as to who has access to the results. To increase student privacy, if applicable, schools should select options that limit disclosure of testing or research data to others.~~

Adopted: ~~August 2007~~DATE

Revised:


Cross Reference:

Related Superintendent Procedure: 4280SP

Previous Policies: E14.04

Legal References: The Health Insurance Portability and Accountability Act of 1996 (HIPAA; Pub.L. 104-191, 110 Stat. 1936, enacted August 21, 1996); Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98); Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99)

Management Resources:

	<p style="text-align: center;">RESEARCH ACTIVITY AND TEST ADMINISTRATION</p>	<p style="text-align: center;">Procedure E14.04  August 2007  Page 1 of 2</p>
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**Board-Adopted Procedure**

Third party agencies or organizations that conduct research or administer tests to Seattle Public School students during the school day or on school property must comply with all federal and state laws as well as all Seattle Public School policies, procedures, and guidelines.

Permission to conduct research activities must be granted by central administration. Permission to administer tests at a particular school must be granted in advance by the school principal or his or her designee. Research proposals or tests that show a direct academic or career benefit to the District or to students and have little inconvenience or cost to Seattle Public Schools have a greater chance of approval. All principals and program managers may refuse to allow testing or research projects to be conducted in their schools unless required by law or the Superintendent.

When applicable, research projects must comply with the Protection of Pupil Rights Amendment (PPRA).

When voluntary admission, aptitude, or career-enhancing tests are administered to students, schools that offer the test must inform students or parents or both that the test is voluntary.

When outside tests are administered at school, the complete name of the test and testing organization should be given to students and families. For example, students or their parents/guardians or both should be informed that the AP Exam is the Advanced Placement Program® (AP®) Exam, administered by the College Board; and that the ASVAB is the Armed Services Vocational Aptitude Battery, administered by the Department of Defense.

Schools may not release individual research or testing data it receives back from an outside agency or organization, unless such a release is permitted under the Families Educational Right to Privacy Act.

School administrators or school staff that permit testing by third-party agencies or organizations should review test procedures and inform students or



parents/guardians or both as to who has access to the results. To increase student privacy, if applicable, schools should select options that limit disclosure of testing or research data to others.

Adopted: August 2007

Revised:

Cross Reference:

Related Superintendent Procedure:

Previous Policies:

Legal References: Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98); Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99)

Management Resources:

# Superintendent Procedure 4280SP

## Research Review Process



Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Dr. Larry Nyland, Superintendent

While Seattle Public Schools recognizes the value of supporting research, it does not guarantee the right to access Seattle Public Schools students, staff, or data for research purposes. If access is granted, the researcher may only access schools, students, staff, and data relevant to the research as approved by the district. Furthermore, the district reserves the right to modify the guidelines as needed and to request changes to multi-year approved research proposals or research proposals.

### Research Proposal Categories

The District reviews three types of research proposals: internal research, external research, and partnerships/grants.

- A. Internal Research – Internal research does not require an application. Internal research includes: central office managers and directors who plan and conduct research on how to improve District services and programs within their area of supervision or as part of their general job duties; and school staff who conduct informal inquiries into classroom practices or piloting of new programs, products, or services.
- B. External Research – External research requires a full application (for first time applicants on a given project) or amendment form (for changes or extensions of ongoing approved external research). External Research includes:
  - Independent research conducted by individuals, organizations, or agencies not affiliated with the District. This includes community based organizations (CBOs) who do not have a formal research agreement as part of a Memorandum of Understanding (MOU) and/or DSA with the district and are conducting research studies;
  - Research conducted by District employees for purposes outside of their work duties and/or work hours (e.g. research conducted to fulfill degree program requirements);
  - Product research conducted by a company or entity to study a product's effectiveness; or
  - Voluntary surveys of District staff, students, or families developed by outside research institutions, non-governmental agencies or other entities.
- C. Partnerships and Grants – Partnerships and grants are evaluated on a case-by-case basis through consultation with the District, and may require that applicants fill out an application. Examples of Partnerships/Grants include:
  - Planned evaluation in grants to external sources with the District as sole or joint applicant;

- Voluntary government agency (federal, state, municipal, etc.) data collection efforts (e.g. state surveys) (Note: mandatory data reporting to state or federal agencies is not subject to research review);
- Mandatory surveys developed by outside non-governmental agencies or entities; or
- Community Based Organizations (CBOs) whose activities do not fall into the “research study” category as outlined in these guidelines, and who have a formal Memorandum of Understanding and/or Data Sharing Agreement (DSA) with SPS.

## **Additional Requirements**

Depending on the nature of the proposed study, the following requirements may apply.

- A. Data Requests – If the research involves a request for secondary data (e.g., student achievement data) collected or maintained by Seattle Public Schools, a Data Request Form is required in addition to the Research Application.
- B. Community-Based Organization (CBO) Research – Community-Based Organizations (CBOs) frequently collect and/or request data from participating students, teachers, and/or staff within District schools and the central office. Standard language will be inserted in all Memoranda of Understanding and/or Data Sharing Agreements with the District that asks CBOs to determine if their data collection and analysis efforts constitute a research activity that merit review as part of the research review process. A research study by a CBO involves quantitative or qualitative data that are: a) systematically collected and analyzed to determine the degree to which services provided are “working”; and b) are presented to an external audience (e.g. funders, conferences, media). Examples of systematic studies of impact include quasi-experimental designs, Randomized Control Trial designs, and qualitative studies of perceived program effectiveness. Studies in this category must go through the full external research review process. CBOs with data collection activities that do not meet the definition above do not need to submit a research proposal. However, all materials using District data must contain caveats that explain that all reported information are purely descriptive in nature and do not indicate causal relationships.
- C. Clearances – If the assigned staff/researcher will be working with district students and have the potential to be unsupervised, they will need to obtain clearances in accordant with Board Policy 4265 SP.
- D. Human Subjects/IRB – If the research includes an intervention or interaction with a living person (i.e., student, teacher, staff, or parent) that would not occur but for the research, or if the researcher will obtain identifiable private data or information, then the researcher must get advance approval from a Human Subjects/Institutional Review Board (IRB). Surveys, interviews, student-level questionnaires and reviews of student files are all interventions or interactions that would require IRB review. Research that is typically exempted from IRB must include an exemption letter as part of the application. The fact that an IRB has approved a proposal for research does not mean that the District must approve it. IRB approval only means that the proposed research design is in

compliance with the federal regulations regarding human subject research (which are consistent with Washington state law and SPS policy).

- E. Active Informed Consent and Assent – All external research that includes the collection of student-level data must have District-approved consent forms, as well as the prior written and active informed consent of a parent or legal guardian on behalf of a minor student before data collection commences. Active consent from the parent/guardian is also required for external research study recruitment if the study seeks students based on specific criteria considered to be protected information (e.g., a research study wishing to recruit bilingual students who have not met standard on the state assessment). Research that involves the collection of identifiable information must also have a Data Sharing Agreement (DSA) with the District. The researcher must retain all consent and assent forms, provide copies to the District, and must be prepared to make them available if a parent/guardian, teacher or school official questions a student's or staff member's participation. To avoid any perceived coercion, the invitation to participate in research is to be printed on the researcher's stationery, and not on that of any office or school of the Seattle Public Schools. Consent and assent forms may not indicate District support or approval of the research study. Students who agree to participate in a research study are required to sign an assent form. Active informed consent forms must also be signed by any staff asked to participate in research.

### **Research Review Committee**

All external and partnership/grant proposals must be reviewed and approved by the Seattle Public School's Research Review Committee (RRC), which is comprised of staff from the Research & Evaluation department who will invite other relevant District or school staff as necessitated by the portfolio of research requests being reviewed. Approval from the RRC to conduct external research activities provides the researcher(s) with official permission to contact schools that may be interested in participating. Approval by the RRC does not (in itself) constitute permission to carry out the research, nor does RRC approval equate to official district sponsorship of the research activities. Schools are under no obligation to participate in a study that was initiated by outside researchers or other entities.

The RRC will evaluate proposals via the following criteria:

- A. **Relevance:** Degree to which the proposed research aligned to District strategic goals and priorities.
- B. **Rigor:** Degree to which the research methodology be expected to reveal valid and meaningful findings.
- C. **Participant Risks/Benefits:** Degree to which the research poses any potential risks to the emotional and/or physical health of human subjects, as well as yield meaningful benefits for study participants. (Except in exceptional circumstances, research proposals that involve the collection of student video recordings for study recruitment or data collection will not be approved. Additionally, any compensation for participation in research must be described in the application.)

- D. Burden: Degree to which the study imposes undue burden on subjects, schools or the District.

## **Approval of Research**

If a research proposal is approved, the RRC will issue a research approval letter. The RRC's approval of a research proposal is limited to the study scope and methods outlined in the proposal. Following approval, researchers may approach principals for signatures on a cooperation form. Principals must agree to participate in the research project and sign the cooperation form for researchers to begin their work in schools. Each principal is ultimately responsible for the decision relative to the involvement of students, staff, or facilities under his or her direction. Principals may decide to appoint an appropriate designee at their schools to oversee research activities.

Upon completion of the research study, the researcher must send a letter to the RRC notifying the committee of completion of the study. A copy of the final report or summary of the results must be provided to the Research Review Committee, to the principal of the school at which the study took place, if applicable, and all District central office departments that provided a letter of support for the research proposal. Seattle Public Schools reserves the right to use the information in the research report or summary for educational programming or services, planning, solicitation of grants, staff development and any other purposes to improve instruction or services to students of the Seattle Public Schools.

Approved: Date

Revised:

Cross Reference: School Board Policy No. 4280

# Superintendent Procedure 2080SP.B Third-Party Test Administration



Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Dr. Larry Nyland, Superintendent

Third party agencies or organizations that administer tests to Seattle Public School students during the school day or on school property must comply with all federal and state laws as well as all Seattle Public School policies, procedures, and guidelines.

When voluntary admission, aptitude, or career-enhancing tests are administered to students, schools that offer the test must inform students and parents/guardians that the test is voluntary.

When outside tests are administered at school, the complete name of the test and testing organization should be given to students and families. For example, students or their parents/guardians should be informed that the AP Exam is the Advanced Placement Program® (AP®) Exam, administered by the College Board; and that the ASVAB is the Armed Services Vocational Aptitude Battery, administered by the Department of Defense.

When the administration of outside tests is organized by the school or the District, the school must work with third-party agencies or organizations to provide appropriate test accommodations for students with Individualized Education Plans (IEPs) or Section 504 accommodation plans.

Approved: DATE

Revised:

Cross Reference: School Board Policy No. 2080