**Review of Research Products**

To maintain compliance with FERPA, The ERC Advisory Board requires designated ERC staff members to review all research products derived from the Repository. Research product is a broad term, but for the purposes of the UH ERC it includes any written outcome or display resulting from the use confidential data. This includes, but is not limited to, output from statistical software, tables, or graphs. Consider any electronic file or written artifact intended to, or which potentially could be, viewed by anyone not currently approved to access the Repository as a research product. All research products must be reviewed by UH ERC staff prior to release to the researcher outside the secure UH ERC environment.

The review process serves as a safeguard to prevent the inadvertent release of any personally identifiable information (PII). The review provides a secondary check of the researcher(s) efforts to mask and appropriately report research results in a manner that protects PII. The following section covers the process and procedures related to protecting confidential UH ERC data. Additionally, it includes a discussion on what qualifies at PII, commonly used variables, common issues that arise during the review process, and suggestions for simplifying the review process.

**Personally Identifiable Information (PII)**

Under FERPA, PII is comprised of both personal identifiers and indirect identifiers (National Center for Educational Statistics [NCES], 2010a; 34 C.F.R. § 99.3). Personal identifiers include information like the student's name of Social Security Number. The data in the UH ERC Repository is devoid of Social Security Numbers and names, and a state generated identification number links the information. Indirect identifiers include any "other information that, alone or in combination, is linked or linkable to a specific student that would allow for a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty" (NCES, 2010a, p.2). Examples of indirect identifiers include race/ethnicity, program specific enrollment, grade level, or course enrollment (NCES, 2010a). The UH ERC review process aims to ensure that researcher(s) have followed the established masking guidelines (see *Masking Guidelines and Techniques*) to appropriately protect PII.

**Commonly Used Variables**

The UH ERC serves as a repository of data spanning numerous datasets with countless variables. While not all the variables within the dataset are considered PII, in conjunction with other information as related to educational performance records, they can act as indirect PII that needs to be masked to protect the individual. Due to the vast number of variables, it is impossible to list all the possible combinations of variable that might qualify as PII. Moreover, requirements for masking research products may depend on the research design or the method of displaying results.

The UH ERC does, however, see many commonly used variables that may produce results that fall under the protections of FERPA. This typically is caused by disaggregation (broken down, splitting up, or isolating) the data enough to create small groups (cells) that can reflect individual performance. Please note that these variables may not alone qualify as PII. It is when they are combined, especially with performance indicators, that it might be possible to link the data to a specific student. Below is an initial, not all-inclusive, list of commonly used variables that *may* constitute PII:

**Performance Based Indicators:** STAAR, TAKS, SAT/ACT scores, Texas Success Initiative (TSI), exit exams, cumulative pass rates, college readiness

- **Specialized or Sensitive Programs:** special education, gifted & talented, English Language Learner (ELL)/Limited English Proficiency (LEP), International Baccalaureate (IB), Developmental Education/Disability Services, Advanced Placement (AP) enrollment, college/dual credit courses

- **Student Demographics**: race/ethnicity, age, immigrant status, gender, at-risk indicator, homeless status, foster care status

- **Completion:** dropout, graduation, time to completion, high school degree plan

- **Other:** attendance, school transfers, teacher value-added scores, student discipline

**Review of Research Products**

Conducting research using the secure computer systems at the UH ERC to analyze confidential data will, from time to time, require the removal of **output** and **results** from the

secure environment for inclusion in write-ups, reports, articles, or other research products that are primarily authored in the context of the researcher's non-secure computing environment. An authorized staff member, prior to release from the secure computing environment, must review research products. The process for review is to ensure that released research products do not contain confidential student information, as defined by FERPA. For more information on the particulars of FERPA compliance, see the *Masking Guidelines & Techniques* section.

**Step-by-Step Review of Research Products Process**

**1.** The researcher must formally request the output or results by sending an email from their e-mail account to the Director and Database Administrator.

**The e-mail must include**:

- Folder where the file(s) are located.
- Name of the file(s) to be reviewed.
- Summary of what the file(s) contain (e.g. These are regression results.). The outcome variables are individual student test scores. The independent variables are individual student demographics.
- In addition, please define variables that have been derived or renamed that may not be discernible to the reviewer. For example: Pcpr = percent campus pass rate; T10 = top 10 percent; T25 = top 25 percent

The researcher must certify in the email that *"the output or results contains no individually identifiable data, and no information derived from data concerning a group of fewer than five individuals"*.

**2.** The Director or authorized designee will review the requested files for the evidence of any information controlled under the provisions of FERPA, and to ensure that it appears consistent with the researcher's certification of compliance as required above.

If the reviewer is satisfied that the item appears consistent with the researcher's representation, the reviewer may transmit the files to the researcher by e-mail or any other means.

If the reviewer has any cause to suspect that the item does not conform to the requestor's

certification of FERPA compliance, still has questions regarding definitions, or any other questions, the reviewer will request further evidence of such from the researcher.

If, after further review, the reviewer is satisfied that the article is consistent with the researcher's certification, the item may be released to the researcher.

If the reviewer cannot satisfy himself or herself that the item is consistent with the researcher's certification of compliance, or the researcher cannot or will not provide the required certification, the reviewer must refuse to release the item from the secure system.

The researcher may appeal the reviewer's decision to the Director or ERC primary-investigator. The UH ERC's decision on the matter is final.

Each item requested for review is to be recorded in the Released Item Review Log, together with the ultimate disposition. A copy of any items released will also be retained in the directory location designated for that purpose.

**Review Reminders**

The UH ERC would like to also stress the following reminders:

- **It is the researcher's responsibility to make sure all work is FERPA compliant.**
- The UH ERC staff reviewer will not perform the masking for the researcher.
- **The clarity of the file names, descriptors, and variable definitions is directly related to the speed and ability of the reviewer to release the products.**
- The reviewer uses the criteria described in *Masking Guidelines & Techniques* to evaluate the research product.
- Remember, if files are not compliant when first submitted, there will be a delay in the release.
- Each request for review is logged, together with all activity related to review of the item and the final decision made.
- Under normal circumstances, research product reviews are **completed in seven to ten working days**. Please be mindful of the amount of files submitted for review. The amount of time needed for review will depend on the number of requests at the time and the length and number of files. If a researcher requires more immediate
- action, he can attempt to negotiate this directly with the UH ERC. Please note that **larger**

**documents might need more** than ten days for review and in such cases, the researcher should contact the UH ERC for a more accurate estimate.

## Common Issues

The research products vary greatly across the many ongoing research projects at the UH ERC. In spite of this variability, UH ERC staff members have identified common issues encountered during the review process.

### Unclear Variables or Output

- Considering the sheer number of variables and the creation of new variables during the research process (collapsing groups, new categorical variables, or indices), reviewers may not be able to determine if the variables included require masking for FERPA compliance. This requires additional information from the researcher(s).
- Researcher(s) should ensure: Variables/output are clearly labeled
- Each variable/output includes a definition Derived or created variables are identified
- The easiest method for labeling and defining variables is to use Microsoft Excel. When exporting output from a statistical software package or creating new output, but sure to include the descriptors. Tables, graphics, and other displays may be done in the same manner.

### Graphics

- The statistical packages available at the UH ERC provide many wonderful options for the visual display of information. The outputs of graphics, however, are often overlooked by researcher(s) when reviewing for PII. The same guidelines (see Masking Guidelines & Techniques) apply to visual displays such as graphs or charts. If the graph illustrates aggregated data about a subgroup with fewer than five persons, it must be appropriately masked.

### Degree of Detail

- The depth and richness of the dataset available in the UH ERC database affords research opportunities from the individual to institutional level. This ability is invaluable for several lines of inquiry in education. These same fine-grained abilities of the dataset,

however, may necessitate a greater degree of masking. The UH ERC encourages researcher(s) to consider the following question when determining subgroup/categorical groupings, variable sections, reporting, and other methodological decisions:

- Considering your research purpose, what degree of detail is required to answer your research questions?

For instance, consider a research project focused on high school IB program enrollment and time to completion in higher education. Is it necessary to report the outcomes for all racial/ethnic subgroups, which will require more masking or would it be more beneficial to report the outcome for all IB, which would require less masking? The answer is up to the researcher(s), but the decision may impact the amount of time required to complete the review process.