Data Request Policy Development Packet

State agencies for Part C and Part B 619 regularly receive requests for data from internal and external parties. Part C and Part B 619 programs should develop a data request policy to establish what data are available, to whom, in what formats, for what purposes, and how data requests are to be handled. In many cases, Part C or Part B 619 staff members can help the requestor better understand the strengths and limitations of the data and increase the likelihood that agency efforts are spent on fulfilling viable requests. Please see the DaSy Data Governance and Management Toolkit for more information on Data Request Policies and other data governance policies.

How to Use This Packet

1. Review and Complete the Considerations Worksheet for Data Request Policy

The considerations include questions about general policy implementation and the procedures associated with work covered by this policy. A team knowledgeable about this content and the procedures should convene to discuss these considerations. The team assembled should, include but not necessarily be limited to relevant and knowledgeable Part C or Part B 619 staff. (Others might include, IT, broader data governance committee members, etc.)

Each lettered consideration in this worksheet references a corresponding number in Data Request Policy Template. Consideration-specific notes should be captured on this worksheet and be used to refine the applicable section of the Data Request Policy Template. After reflection and discussion by the team, a Part C or Part B 619 program may opt to exclude consideration content in their final policy.

1. Use Responses to the Considerations to Complete the *Data Request* Policy Template

The Data Request Policy Template is a fully modifiable document so that the resulting policy can be adapted to align with other states policies. Where appropriate, some basic content is included in the template; however, the content can and should be edited, added to, or deleted so the resulting policy accurately reflects the Part C or Part B data governance in this area. It may also be helpful to add links to policies referenced within the template.

The Data Request Policy Template has 12 sections and there are one or more considerations that relate to each section. Sections vary in their depth and complexity, but all are important to fully describe the policy and the data governance and procedures covered by the policy. Each numbered section in this template references a corresponding letter in the Considerations Worksheet for Data Request Policy. Once the policy is completed, there is no need to keep the lettered cross references to the associated considerations.

If you have questions about or would like assistance with this work, please contact: DaSy‑Center@sri.com

Considerations Worksheet for Data Request Policy

| Considerations Worksheet for Data Request Policy  |
| --- |
| *Considerations* | *Template Section* | *Notes/Status* | *Draft Language* |
| 1. Which, if any, federal laws/regulations (IDEA and FERPA) related to data requests apply to the Part C or Part B 619 program?
 | 1.1 | *See policy template for draft language.* |  |
| 1. What, if any, additional state agency policies related to data requests apply to the Part C or Part B 619 program?
 | 1.2 |  |  |
| 1. What specific Part C or Part B 619 policies or procedures, if any, exist and apply to data requests?
 | 1.3 |  |  |
| 1. When did/does this policy take effect?
 | 2 |  |  |
| 1. Which Part C or Part B 619 role should be contacted for more information on this policy?
 | 3 |  |  |
| 1. How frequently will this policy be reviewed and, if needed, updated?
 | 4.1 |  |  |
| 1. What mechanisms will be used to collect user and other stakeholder input for consideration in the review and possible revisions to this policy?
 | 4.2 |  |  |
| 1. Where can the public access this policy?
 | 5.1 |  |  |
| 1. How will interested members of the public be informed of this policy?
 | 5.2 |  |  |
| 1. What parties (including participating agencies) will be required to follow this policy?
 | 6 |  |  |
| 1. What is the purpose of the Data Request Policy?
 | 7 | *See policy template for draft language.* |  |
| 1. What is the definition of a data request?
 | 8 | *See policy template for draft language.* |  |
| 1. What data systems and data reported from these systems are covered by this Data Request Policy?
 | 9 |  |  |
| 1. Which role is responsible for establishing and managing policies and procedures related to this policy?
 | 10.1 |  |  |
| 1. Which role is responsible for monitoring adherence to this policy?
 | 10.2 |  |  |
| 1. Which role is responsible for addressing questions regarding this policy?
 | 10.3 |  |  |
| 1. Which role is responsible for securing or providing training and technical assistance on data request?
 | 10.4 |  |  |
| 1. Which role is responsible for addressing failures to adhere to this policy?
 | 10.5 |  |  |
| 1. Which role is responsible for receiving reports of violations of this policy within the agency?
 | 10.6 |  |  |
| 1. Which role is responsible for submitting of a completed form?
 | 11.1.1 | *Internal or external stakeholders* |  |
| 1. Which role is responsible for reviewing and determining if request is complete, reasonable, justified and consistent with available program data, requestor purpose, and agency guidelines?
 | 11.1.2 |  |  |
| 1. Which role is responsible for providing written receipt to requestor and informing requestor if request will be reviewed?
 | 11.1.3 | Consider: * Request’s reasonableness (e.g., data are available, timeline realistic)
* Request’s completeness
* When to expect communication about decision fees, if any, associated with the data request
 |  |
| 1. Which role is responsible for determining if a data sharing agreement will be necessary to share and govern the use of the requested data?
 | 11.1.4 | Consider:* Release and use of PII
* Forms provided to parents to describe how child data can be used under FERPA
* Limit use of requested data
* Destruction of data *(See Data Destruction and Retention Policy)*
* Reoccurring data request
* Publication of data by requestor
* Approval of any requestor-generate publication that includes requested data
* Rerelease of provided data to another entity
* Citation of program for data provided
 |  |
| 1. Which role is responsible for reviewing data requests in a reasonable time?
 | 11.2.1 |  |  |
| 1. Which role is responsible for accepting, denying, modifying, or requesting additional information regarding a data request?
 | 11.2.2 |  |  |
| 1. Which role is responsible for prioritizing accepted data requests based on capacity, significance, and available resources?
 | 11.2.3 |  |  |
| 1. Which role is responsible for communicating to the requestor in writing about the decision made and the reason for the decision?
 | 11.2.4 | Include:* If accepted, the expected time for completing the request.
* If not accepted, explain why request was denied, tabled, or delayed.
 |  |
| 1. Which role is responsible for analysis and preparation of the data in the requested format?
 | 11.3.1 |  |  |
| 1. Which role is responsible for reviewing the data product prior to release?
 | 11.3.2 | Consider:* data are in the proper secure format for release (e.g., encrypted MS Excel files, secure FTP downloads)
* do not contain any information not requested.
* no accidental release of PII (de-identification applied)
* minimum cell size criteria is met
 |  |
| 1. Which role is responsible for sending the requested data to the requestor?
 | 11.3.3 |  |  |
| 1. Which role is responsible for maintaining a record of all data requests?
 | 11.3.4 |  |  |
| 1. Which role is responsible for trainings to support data requests?
 | 12.1 |  |  |
| 1. Which role is responsible for documentation to support data requests?
 | 12.2 |  |  |
| 1. Which role is responsible for collecting user input to support data requests?
 | 12.3 |  |  |

Data Request Policy Template for
NAME OF PART C/PART B 619 PROGRAM

1. Requirements
	1. NAME OF STATE is federally required to collect and report PART C OR PART B 619 and collects such data through data systems noted below in section 9, Policy Application. The federal requirements (statutes/regulations/rules/policies) that apply to requests for PART C/PART B 619 PROGRAM NAME data, including requests for personally identifiable information (PII): (a)

34 CFR Part 303 – Part C Regulations

34 CFR 303.401(a)

34 CFR 303.414(a) and (b)

34 CFR Part 300 – Part B Regulations

34 CFR 300.622(a) and (b)

34 CFR 300.623

FERPA

34 CFR 99.30

34 CFR 99.31

* 1. The state requirements (statutes/regulations/rules/policies) that apply to data requests are: (b)

*(insert relevant state requirement)*

*(insert relevant state requirement)*

* 1. The PART C OR PART B 619 policies or procedures that apply to data requests are: (c)

*(insert relevant Part C or Part B 619 policy/procedure)*

*(insert relevant Part C or Part B 619 policy/procedure)*

1. Effective Policy Date

*(insert date)* (d)

1. Point of Contact

*(insert Part C or Part B 619 role or other contact as applicable)* (e)

1. Revisions

4.1 The Data Request Policy will be reviewed and updated as needed/or *(insert frequency).* (f)

4.2 PART C OR PART B 619 will collect users and other stakeholders’ input through the following mechanisms to review and revise data request policies and procedures. *(insert mechanisms)* (g)

4.3 Below is a listing of all policy revisions completed to date: *(insert version number, date, and associated notes)*

1. Access

5.1 The Data Request Policy will be available to the public at *(insert URL).* (h)

5.2 Interested members of the public will be informed by *(insert mechanisms).* (i)

1. Relevant Parties

This policy applies to *(insert name of programs and/or agencies)* that may receive a PART C/ PART B 619 PROGRAM NAME request for data, and any internal or external data requestors. (j)

1. Purpose

The purpose of this data request policy is to establish authority and processes for external and internal requests for PART C OR PART B 619 data. (k)

1. Definition

A *data request* is any request for information held by the PART C/ PART B 619 PROGRAM NAME that is not publicly available, including requests for PII.

*Personally identifiable information (PII)* as defined by FERPA regulations at 34 CFR 99.3 includes information that can be used to distinguish or trace an individual’s identity either [directly](https://studentprivacy.ed.gov/glossary#glossary-node-210) or [indirectly](https://studentprivacy.ed.gov/glossary#glossary-node-227) through linkages with other information (e.g., name, address, student ID, birthdate, social security number). (l)

1. Policy Application

The following PART C/PART B 619 PROGRAM NAME data systems are covered by this Data Request Policy. (m)

| Data System | Description |
| --- | --- |
| *(data system name)* | *(description)* |
| *(data system name)* | *(description)* |
| *(data system name)* | *(description)* |
| *(add data systems as needed)* | *(description)* |

1. Responsibilities

The table below outlines the specific responsibilities and roles related to data requests.

| Responsibilities | Data System | Role Responsible (by data system) |
| --- | --- | --- |
| 10.1 Establish and manage procedures related to this policy. (n) | *(data system name)**(data system name)* | *(role responsible)**(role responsible)* |
| 10.2 Monitor adherence to this policy. (o) | *(data system name)**(data system name)* | *(role responsible)**(role responsible)* |
| 10.3 Address questions regarding this policy. (p) | *(data system name)**(data system name)* | *(role responsible)**(role responsible)* |
| 10.4 Secure or provide training and technical assistance on data requests. (q) | *(data system name)**(data system name)* | *(role responsible)**(role responsible)* |
| 10.5 Address failures to adhere to this policy. (r) | *(data system name)**(data system name)* | *(role responsible)**(role responsible)* |
| 10.6 Receive reports of violations of this policy within the agency. (s) | *(data system name)**(data system name)* | *(role responsible)**(role responsible)* |
| *(add other responsibilities as needed)* | *(data system name)**(data system name)* | *(role responsible)**(role responsible)* |

1. Procedures

The table below includes the procedures used to support this Data Request Policy.

| Procedures | Role Responsible |
| --- | --- |
| 11.1 Data Request Process |  |
| 11.1.1 Receive complete *Data Request Form* *(insert URL).* (t) | *Internal or external stakeholders* |
| 11.1.2 Review and determine if request is complete, reasonable, justified and consistent with available program data, requestor purpose, and agency guidelines. (u) | *(role responsible)* |
| 11.1.3 Provide written receipt of completed request to requestor and inform requestor if request will be reviewed. (v) | *(role responsible)* |
| 11.1.4 Determine if a data sharing agreement will be necessary to share and govern the use of the requested data. (w) | *(role responsible)* |
| 11.2 Data Request Review Process |  |
| 11.2.1 Review data request in a reasonable time (e.g., 4-8 weeks). (x) | *(role responsible)* |
| 11.2.2 Accept, deny, modify, or request additional information regarding a data request. (y) | *(role responsible)* |
| 11.2.3 Prioritize accepted data requests based on capacity, significance, and available resources. (z) | *(role responsible)* |
| 11.2.4 Communicate the decision about the request to the requestor in writing. (aa) | *(role responsible)* |
| 11.3 Data Request Fulfillment Process |  |
| 11.3.1 Conduct analysis and prepare data in requested format. (bb) | *(role responsible)* |
| 11.3.2 Review data product prior to release. (cc) | *(role responsible)* |
| 11.3.3 Send the requested data to the requestor. (dd) | (role responsible) |
| 11.3.4 Maintain a record of all data requests. (ee) | *(role responsible)* |
| *(add additional responsibilities as needed)* | *(role responsible)* |

1. Responsibilities for Supporting Data Request Policy

The table below includes the roles responsible for the tools and supports for this Data Request Policy.

| Tool/Support  | Role Responsible  | Location  |
| --- | --- | --- |
| 12.1 Training(s) that support this policy. (ff) *(Training 1 name and description)* *(Training 2 name and description)* *(Include all trainings)*  | *(role responsible)* *(role responsible)*  | *(insert URL training location)*  |
| 12.2 Documentation that supports this policy. (gg) *(Document 1 name and description)* *(Document 2 name and description)* *(Include all documents, including any applicable forms or reports)*  | *(role responsible)* *(role responsible)*  | *(insert URL or document location)*  |
| 12.3 User input that is collected and used to support this policy. (hh) *(User input 1 description of input)* *(User input 2 description of input)* *(Include all user inputs)*  | *(role responsible)* *(role responsible)*  | *(insert URL or location with applicable content)*  |
| *(insert additional tools/supports as needed)* | *(role responsible)* | *(insert URL or location with applicable content)*  |