Privacy Impact Assessment

For

Impact Evaluation of Teacher and Leader Performance Evaluation Systems

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1. **System Information. Describe the system - include system name, system acronym, and a description of the system, to include scope, purpose and major functions.**

   The system name is the "Impact Evaluation of Teacher and Leader Performance Evaluation Systems" (TLES). TLES will maintain records on approximately 87,600 students, 2,400 teachers and 127 principals from eight school districts. The above referenced records will be used to conduct a study to evaluate the implementation and impacts of a set of three performance evaluation system components for teachers and principals. The components consist of feedback on teaching practices, school leadership, and student achievement.

2. **Legal Authority. Cite the legal authority to collect and use this data. What specific legal authorities, arrangements, and/or agreements regulate the collection of information?**

   The study is authorized under the Education Sciences Reform Act of 2002, Part D, Section 171(b)(2) (20 U.S.C. 9561(b)(2)), which authorizes the Institute of Education Sciences to "conduct evaluations of Federal education programs administered by the Secretary (and as time and resources allow, other education programs) to determine the impact of such programs (especially on student academic achievement in the core academic areas of reading, mathematics, and science)." The collection of information is regulated by the Education Sciences Reform Act of 2002, the Privacy Act of 1974, and the Family Educational Rights and Privacy Act.

3. **Characterization of the Information. What elements of personally identifiable information (PII) are collected and maintained by the system (e.g., name, social security number, date of birth, address, phone number)? What are the sources of information (e.g., student, teacher, employee, university)? How is the information collected (website, paper form, on-line form)? Is the information used to link or cross-reference multiple databases?**

   The system will include, but will not necessarily be limited to data on: (1) Students - date of birth; demographic information such as race, ethnicity, gender, and educational background; information on attendance and disciplinary incidences; and scores on reading and mathematics achievement tests; (2) Teachers - name and contact information; demographic information such as race and ethnicity; information on postsecondary degrees earned and professional experiences; salary; attitudes and beliefs related to teaching; career plans; and classroom observation scores and (3) Principals - , name and contact information; demographic information such as race and ethnicity; information on postsecondary degrees earned and professional experiences; salary; attitudes and beliefs about their role as a principal; career plans; and feedback on school leadership practices.

   The sources of information are from district administrative records, online surveys of teachers, principals and principal supervisors and classroom observations of teachers. Data will be collected and maintained in secure electronic form that complies with all federal security requirements (see response to question 11). Data will not be used to link or cross-reference databases that are external to the study.

4. **Why is the information collected? How is this information necessary to the mission of the program, or contributes to a necessary agency activity? Given the amount and any type of data collected, discuss the privacy risks (internally and/or externally) identified and how they were mitigated.**

This information is being collected for statistical purposes. The central purpose and reason why the Department is establishing this system of records is to evaluate the implementation and impact of a set of evaluation system components that is consistent with current federal policy. In particular, we will address the following research questions: (1) How is the evaluation system implemented? (2) Did the system produce a contrast in teachers' and principals' experiences with performance evaluation systems (e.g., how frequently teachers are observed)? (3) What impacts did the evaluation system have on the decisions of key actors (e.g., teachers' decisions to try new techniques, work differently, or pursue learning experiences)? (4) What impacts did the evaluation system have on teacher mobility? (5) What impacts did the evaluation system have on instructional practice and instructional leadership? (6) What impacts did the evaluation system have on student achievement?

The potential privacy risks from this system include any adverse consequences such as embarrassment to students, teachers or principals from having their privacy-protected information used and disclosed by unauthorized means. To mitigate these risks, the system establishes strict rules, procedures and security requirements related to the collection, maintenance, use, disclosure, and destruction of the data, that are outlined in responses to other questions in this Privacy Impact Assessment (PIA) and in the System of Records Notice (SORN), which together will protect the sensitive student data collected for the purposes of this study from unauthorized use and disclosure.

5. **Social Security Number (SSN). If an SSN is collected and used, describe the purpose of the collection, the type of use, and any disclosures. Also specify any alternatives that you considered, and why the alternative was not selected. *If system collects SSN, the PIA will require a signature by the Assistant Secretary or designee. If no SSN is collected, no signature is required.***

   This system does not collect SSNs.

6. **Uses of the Information. What is the intended use of the information?   How will the information be used? Describe all internal and/or external uses of the information. What types of methods are used to analyze the data? Explain how the information is used, if the system uses commercial information, publicly available information, or information from other Federal agency databases.**

   The intended use of the information is to evaluate the implementation and impact of a set of evaluation system components on principal, teacher, and student outcomes. See response to question 4 for more information on the specific research questions that the information will be used to address. The system will contain records on approximately 87,600 students, 2,400 teachers and 127 principals from eight school districts. To analyze the data and generate findings that meet Institute of Education Sciences research standards, quantitative statistical methods will be used, including impact analyses. These analyses will produce an estimate of aggregate impacts of the evaluation system under study.

7. **Internal Sharing and Disclosure. With which internal ED organizations will the information be shared? What information is shared? For what purpose is the information shared?**

   The Department may disclose information contained in a record in this system of records under the routine uses listed in this system of records without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected. Any disclosure of individually identifiable information from a record in this system must comply

with the requirements of section 183 of the Education Sciences Reform Act (ESRA) (20 U.S.C. 9573), which provides confidentiality standards that apply to all collection, reporting, and publication of data by IES.

Contract Disclosure. The Department may contract with a contractor to perform certain functions on behalf of the Department, which could require the disclosure of records in the system. The Department may disclose records to contractors (i.e., government contractors/employees) who have received the appropriate security clearance level from the Department. However, before entering into such a contract, the Department will require the contractor to establish and maintain adequate safeguards required with respect to the records in the system.

8. **External Sharing and Disclosure. With what external entity will the information be shared (e.g., another agency for a specified programmatic purpose)? What information is shared? For what purpose is the information shared? How is the information shared outside of the Department? Is the sharing pursuant to a Computer Matching Agreement (CMA), Memorandum of Understanding or other type of approved sharing agreement with another agency?**

   Consistent with the purpose of the study, feedback on individual teacher classroom practices and individual principal leadership practices will be shared with a limited number of specified individuals within each district participating in the study. Specifically, within each district, principal supervisors will have access to individual teacher classroom practices data and individual principal leadership practices data for the schools for which they provide oversight. Principals in a subset of schools participating in the study will have access to performance data for individual teachers within their school. Districts', principals' and teachers' participation in the study is voluntary, and information shared will be done in a manner consistent with district policy.

   The Director of IES may license de-identified confidential information from this system of records to qualified external researchers solely for the purpose of carrying out specific research that is compatible with the purpose(s) of this system of records. The researcher shall be required to maintain the confidentiality of the licensed data and to use it only for statistical purposes. All licensing shall be accomplished pursuant to the National Center for Education Statistics Licensing Program, described on the following website: http://nces.ed.gov/statprog/instruct.asp.

9. **Notice. Is notice provided to the individual prior to collection of their information (e.g., a posted Privacy Notice)? What opportunities do individuals have to decline to provide information (where providing the information is voluntary) or to consent to particular uses of the information (other than required or authorized uses), and how individuals can grant consent?**

   A Privacy Notice on data collection forms that meets the requirements of the Privacy Act, 5 U.S.C. 552a(e)(3), is not required in this study since identifying information is being collected from the district and not directly from the students. No notice is required for teachers and principals since those individuals are informed, prior to the submission of information, that the data collection is voluntary. Teacher and principal surveys state that response to the data collection is voluntary and that they do have the right to skip any question that they do not wish to answer.

10. **Web Addresses. List the web addresses (known or planned) that have a Privacy Notice.**

    None.

11. **Security. What administrative, technical, and physical security safeguards are in place to protect the PII? Examples include: monitoring, auditing, authentication, firewalls, etc. Has a C&A been completed? Is the system compliant with any federal security requirements?**

    All physical access to the Department's site and to the sites of the Department's contractor and subcontractors where this system of records is maintained, is controlled and monitored by security personnel. The computer system employed by the Department offers a high degree of resistance to tampering and circumvention. This security system limits data access to Department and contract staff on a need-to-know basis and controls individual users' ability to access and alter records within the system. The contractor is required by contract to establish a similar set of procedures at their sites to ensure confidentiality of data. The contractor will maintain security of the complete set of all master data files and documentation. Access to individually identifying data will be strictly controlled. At each site, all print data will be kept in locked file cabinets during nonworking hours and work on hardcopy data will take place in a single room, except for data entry. Physical security of electronic data will also be maintained. Security features that protect project data include: password-protected accounts that authorize users to use the contractor's system but to access only specific network directories and network software; user rights and directory and file attributes that limit those who can use particular directories and files and determine how they can use them; and additional security features that the network administrators will establish for projects as needed. The Department's contractors who "maintain" (collect, maintain, use, or disseminate) data in this system must comply with the requirements of the Privacy Act and the confidentiality standards in section 183 of the ESRA (20 U.S.C. 9573), which provides criminal penalties for violations.

12. **Privacy Act System of Records. Is a system of records being created or altered under the Privacy Act, 5 U.S.C. 552a? Is this a Department-wide or Federal Government-wide SORN? If a SORN already exists, what is the SORN Number?**

    The system is in the process of developing a SORN.

13. **Records Retention and Disposition. Is there a records retention and disposition schedule approved by the National Archives and Records Administration (NARA) for the records created by the system development lifecycle AND for the data collected? If yes – provide records schedule number:**

    These records are covered by a draft records schedule currently under development. When completed, the draft schedule will be submitted to the National Archives and Records Administration for review and approval. Until such time as the schedule is approved, no records will be destroyed.