



Privacy Impact Assessment

For

Evaluation of Response to Intervention Practices for Elementary School Reading

Date: September 26, 2012

Point of Contact: Dr. Jonathan Jacobson

(202) 208-3876

Jonathan.Jacobson@ed.gov

System Owner: Dr. Audrey Pendleton

(202) 208-7078

Audrey.Pendleton@ed.gov

Author: Dr. Jonathan Jacobson

(202) 208-3876

Jonathan.Jacobson@ed.gov

Institute of Education Sciences
U.S. Department of Education



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 “Evaluation of Response to Intervention Practices for Elementary School Reading.” The system of records will contain records on approximately 31,076 students in first through third grade from approximately 146 elementary schools in 13 states, and, together with data from surveys of school staff from these schools and 1,300 others in the same states, will be used to conduct a study evaluating the implementation and impacts of practices implemented under the Individuals with Disabilities Education Act (IDEA) to identify and assist students struggling in reading, and who may be in need of special education services.

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 Individuals with Disabilities Education Improvement Act of 2004, Section 664(b)(2) (20 U.S.C. 1464(b)(2)), which instructs the Institute of Education Sciences, as part of the “national assessment of activities carried out with Federal funds under this title,” to assess “the implementation of programs assisted under this title and the impact of such programs on...improving the academic achievement of children with disabilities.” It is also 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 contain records on approximately 31,076 students in first to third grade from approximately 146 elementary schools in 13 states. This student-level information will include, but will not necessarily be limited to, student names, student IDs, the names and IDs of the school and school district that the student attends, date of birth, demographic information such as race, ethnicity, gender, and educational background (grade level, free and reduced-price lunch status, English language learner status, and special education status), and assessment information and scores on standardized reading assessments. These records will be combined with data from reading assessments administered to students in first and second grade in the same 146 schools for the purposes of the study, surveys of school staff in the 146 schools (including 146 school administrators, approximately 1,460 reading teachers, and 1,606 reading interventionists), and surveys of school administrators in an additional 1,300 schools in the same states. The remaining sources of information are from state, district, and/or school administrative records. All of these records will be collected and



maintained in secure electronic form that complies with all federal security requirements (see response to question 11).

- 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.**

The 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 Response to Intervention practices for elementary school reading as part of the congressionally-mandated National Assessment of IDEA. In particular, we will address the following three research questions: (1) *What is the average impact on academic achievement of providing intensive secondary reading interventions to elementary school children who have been identified as at risk for reading difficulties compared with children just above the cut point for providing intervention?* (2) *How do academic outcomes, including reading achievement and special education identification, vary with elementary schools' adoption of Response to Intervention practices for early grade reading?* (3) *How do Response to Intervention practices for early grade reading vary across elementary schools?* The privacy risks from this system include any adverse consequences, such as embarrassment, to students from having their privacy-protected information used and disclosed in unauthorized ways. To mitigate these risks, the system establishes strict rules, procedures and security requirements related to the collection, maintenance, use, disclosure, and destruction of the student 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.**

There are no plans to collect SSN.

- 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 Response to Intervention practices supported under IDEA. See response to question 4 for more information on the specific research questions that the information will be used to address. See response to question 7 for information on internal and/or external uses and sharing of the information. The system will include individual student-level data from first to third grade with personally-identifiable information collected from existing state, district, and/or school administrative records from approximately 146 schools in 13 states, to which information from study-administered student reading assessments and school staff surveys will be added. To analyze the data and generate findings that meet Institute of Education



Sciences research standards, quantitative statistical methods will be used, such as regression discontinuity techniques. These analyses will produce an estimate of aggregate impacts on student outcomes of school practices to assist students struggling in reading in first to third grade, and will also permit reading instruction and intervention practices in the 146 schools to be characterized and compared with reading instruction and intervention practices in other schools in the same states.

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.

(1) Research Disclosure. 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 will be accomplished pursuant to the National Center for Education Statistics Licensing Program, described in the following website: <http://nces.ed.gov/statprog/instruct.asp>.

(2) Contract Disclosure. If the Department contracts with an entity to perform any function that requires disclosing records in this system to the contractor's employees, the Department may disclose the records to those employees who have received the appropriate level of security clearance from the Department. Before entering into such a contract, the Department will require the contractor to establish and maintain the safeguards required under the Privacy Act (5 U.S.C. 552a(m)) 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?

See response to question 7.

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 districts and schools participating voluntarily in this study, not *directly from the students* for this system.



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

There is no web address associated with this system. See response to question 9.

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 and subcontractors will establish a similar set of procedures at their sites to ensure confidentiality of data. The contractor and subcontractors are required to ensure that print data identifying individuals are in files physically separated from other research data and electronic files identifying individuals are separated from other electronic research data files. The contractor and subcontractors 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, contractor's, and subcontractors' employees 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:

Records are maintained and disposed of in accordance with the Department's Records Disposition Schedules ED 068.a (NARA Job Number: N1-441-08-18).