

# United States Department of Education (ed.gov): Institute of Education Sciences (U.S. Department of Education IES)

## Type of data to be shared

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*Guidance:*

- [IES Public Access Plan](#)
- [IES Implementation Guide for Public Access to Research Data](#)

## Procedures for managing privacy and confidentiality

Procedures for managing and for maintaining the privacy and confidentiality of the data to be shared

*Guidance:*

Researchers funded by IES must be committed to protecting the rights and privacy of human subjects at all times. Data sharing must not compromise this commitment. IES recognizes that providing access to data may be complicated or limited by institutional policies, local Institutional Review Board (IRB) rules, as well as state and federal laws and regulations that address issues of the rights and privacy of human subjects. It is the responsibility of the researchers to develop a data management plan that protects the rights of study participants and confidentiality of the data, as required by their IRB and state and federal laws and regulations.

Data that are to be shared should be free of identifiers that would allow linkages to individuals participating in the research as well as other elements that could lead to deductive disclosure of the individual study participants.

To prepare for providing public access to data, investigators should plan their study design and procedures to enable data access. One important consideration will be the consent forms and agreements used in recruiting individuals and/or institutions (e.g., schools, early childhood programs) to participate in research studies.

If researchers believe that full data sharing is not possible, they must provide a comprehensive written rationale in their DMP. IES approval of the DMP is required prior to the commitment of funds for the grant.

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## Roles and responsibilities

Roles and responsibilities of project or institutional staff in the management and long-term preservation—to the extent legally permissible—of research data, including a discussion of any changes to the roles and responsibilities that will occur should the PD/PI and/or Co-PDs/Co-PIs leave the project or institution.

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## Expected schedule for data sharing

Expected schedule for data access, including how long the data will remain accessible (at least 10 years, unless a shorter period of time is required to comply with applicable Federal or State laws or agreements promulgated to ensure compliance with such laws in which the destruction of records or personal information is required within a shorter period of time) and acknowledgement that the timeframe of data accessibility will be reviewed at the time of annual progress reviews and revised as necessary.

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Timely data sharing is important to the scientific process. IES thus expects that data will be shared no later than when the main findings from the final study dataset are published in a peer-reviewed scholarly publication. As noted above, if findings are published after the grant period has ended, grantees are still required to adhere to the DMP.

The costs of data access can be included in grant, cooperative agreement or contract budgets. The costs can include those associated with preparing the dataset and documentation and storing the

data.

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### **Format of the final dataset**

Format of the final dataset and any standards to which the data conform.

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### **Documentation to be provided**

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Documentation that provides all the information necessary for other researchers to use the data must be prepared. The documentation should include a summary of the purpose of the data collection, methodology and procedures used to collect the data, timing of the data collection, as well as details of the data codes, definition of variables, variable field locations, and frequencies. The data documentation should be a comprehensive and stand-alone document that includes all the information necessary to replicate the analysis performed by the original research team.

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### **Method of data sharing**

Location where data will be stored and method of data access (e.g., via a publicly accessible data archive, institutional repository, or from the Project Director/Principal Investigator).

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There are alternative methods that researchers can use for providing access to data, and IES anticipates that investigators will decide to use a particular method based on a variety of factors, including size and complexity of the dataset, sensitivity of the data collected, and anticipated number of requests for data sharing. The available methods include the (1) investigator and institution taking on the responsibility for data sharing, (2) use of a data archive or data enclave, or (3) use of some combination of these methods.

Investigators may also wish to develop a mixed method for data sharing that allows for more than one version of the dataset and provides different levels of access depending on the version. For example, a redacted dataset could be made available for general use, but stricter controls through a data archive or enclave would be applied if access to more sensitive data was required.

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### **Data sharing agreement**

Address whether or not a data agreement that specifies conditions under which the data will be made accessible is required.

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### **Any circumstances that prevent the data from being shared**

Any circumstances that prevent all or some of the data from being made accessible. This includes data that may fall under multiple statutes and hence must meet the privacy and confidentiality requirements for each applicable statute (e.g., data covered by the Common Rule for Protection of Human Subjects, FERPA, the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule (45 CFR Part 160 and Subparts A and E of Part 164), section 183 of the Education Sciences Reform Act, or the Privacy Act of 1974, as amended).

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IES acknowledges that there may be issues associated with providing access to data when the data collected are proprietary (e.g., when a published curriculum is being evaluated). Any restrictions on data sharing, such as a delay of disclosing proprietary data, should be presented in the DMP and will be considered by IES Program Officers. If proprietary issues emerge during the course of the research, they should be brought to the attention of the IES Program Officer, and the DMP will be reviewed in light of these issues.

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