



Privacy Impact Assessment

For

Impact Evaluation of Training in Multi-Tiered Systems of Support for Behavior (MTSS-B)

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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. Indicate whether the system is new or existing, and whether or not the PIA is new or being updated from a previous version; specify whether the system is 'agency' or 'contractor'.

This is a new system and a new Privacy Impact Assessment. The system name is the "Impact Evaluation of Training in Multi-Tiered Systems of Support for Behavior (MTSS-B)." The system, which is housed by a contractor and its subcontractors, will maintain records on approximately 38,000 students and 3,600 teachers and other school staff from 12 school districts. These records will be used to conduct a study to examine the effectiveness of providing school staff with training in multi-tiered systems of supports for behavior.

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 personally identifying information on approximately 38,000 students and 3,600 teachers and other school staff from 12 school districts and will include, but not necessarily be limited to, data on: (1) for students, standardized math and English/Language Arts test scores, age, sex, race/ethnicity, grade, eligibility for free/reduced-price lunches, English Learner status, individualized education program status, school enrollment dates, attendance, discipline records, school engagement, and student behavior, and (2) for teachers and other school staff, school assignments, positions, grades and subjects taught, any available teacher and staff background characteristics, including age, sex, race/ethnicity,



certifications, and years of teaching experience, and classroom management and behavior support practices.

The sources of information are through district records, surveys of students as well as teachers and other school staff, observations of classrooms, and ratings of student behavior. 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 examine the effectiveness of providing school staff with training in multi-tiered systems of supports for behavior. In particular, the study will address the following primary research questions: (1) What are the impacts on school climate, school staff practice, and student outcomes of providing training in MTSS-B that includes universal supports (Tier I)? (2) What are the impacts on school climate, school staff practice, and student outcomes of providing training in MTSS-B that includes universal supports (Tier I) plus targeted interventions for at-risk students (Tier II)? (3) What is the impact of additional training in targeted interventions for at-risk students (Tier II) for schools already trained in MTSS-B that includes universal supports (Tier I)? (4) What are the impacts for relevant subgroups including students with at-risk behavior, students with disabilities, and teachers with less experience? (5) Which strategies are correlated with improvement in student outcomes?

The potential privacy risks from this system include any adverse consequences such as embarrassment to students or teachers 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 and teacher 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. 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 impact of providing school staff with training in multi-tiered systems of supports for behavior on school climate, school staff practice, and student outcomes. See response to question 4 for information on the specific research questions that the information will be used to address. See response to questions 7 and 8 for information on internal and/or external uses and sharing of the information. The system will contain records on approximately 38,000 students and 3,600 teachers and other school staff from 12 school districts. To analyze the data and generate findings that meet Institute of Education Sciences (IES) research standards, a randomized experimental study design and quantitative statistical methods will be used. Data analysis will be conducted using data that have been stripped of identifiers (e.g., names), other than encrypted identifiers. Data or results that are reported or published will not contain any personally identifiable information (PII). Any disclosures of information from the system will be made only in compliance with the requirements of section 183 of the Education Sciences Reform Act of 2002 (20 U.S.C 9573), the Privacy Act of 1974, as amended (5 U.S.C 552a) and the Family Educational Rights and Privacy Act (20 U.S.C. 1232g).

- 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 PII 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.

- 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?

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 PII 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) **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.

(2) **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 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, included in the district records, is being collected from the district and not directly from the teachers or students. No notice is required for student participation in the teacher ratings of student behavior or the student survey since the parents of these students are provided with a consent form which informs them that student' participation in the teacher ratings of student behavior and students completion of the student survey is voluntary and that the students do have the right to skip any questions that they do not wish to answer. Additionally, the students are also informed that the student survey is voluntary and that they do have the right to skip any questions that they do not wish to answer. No notice is required for teachers since those individuals are provided a consent form, as part of the teacher ratings of student behavior as well as the teacher survey, which informs them that 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 are planned.



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 Certification and Accreditation (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; all work regarding hardcopy data will take place in a single room requiring a key to access which has only been granted to data entry staff. 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 the information within the system retrieved by personal identifier? 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 will be covered under an altered SORN, "Impact Evaluation of Training in Multi-Tiered Systems of Support for Behavior (MTSS-B)" (18-13-38) which was published on March 30, 2015. The information in the system will not include a personal identifier, other than a code created specifically for this study

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).