



Data Governance Frequently Asked Questions

November 2025

This document outlines frequently asked questions related to data-sharing agreements (DSAs) with the Oregon Department of Education (ODE).

1. How can I request access to student-level data from ODE?

The first step in requesting secure student data from ODE is to complete the form available on our [data governance website](#). Once the form is completed, ODE staff will review your request and contact you for clarification and next steps. Please provide as much detail as possible when completing the form initially.

It is best to outline the data you will need and the purpose of each data element, but not to guess at the specific sources and fields. ODE staff will review and assist you in determining the best data sources to meet each needed element. Be as specific as possible. For example, list “race/ethnicity of all 4th grade students enrolled in talented and gifted programs,” not “EthnicCd from the CumADM collection.”

2. What types of projects does ODE release data for?

In accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA), ODE generally releases data under two categories:

- The Audit and Evaluation Exception, for authorized representatives of ODE or specific other state officials (see Question 3) who are evaluating state or federally funded educational programs.
- The Studies Exception, for researchers conducting studies *on behalf of ODE or other educational agencies or institutions*, and from which we expect Oregon schools, districts, and students to benefit. The studies must be for a FERPA-allowed purpose, most commonly for improving instruction.

ODE does not approve all FERPA-compliant data-sharing requests. Requests are evaluated for alignment with ODE’s research priorities, demands on ODE staff time, and likelihood of benefitting Oregon students, among other considerations. Please review ODE’s [Research Agenda](#) to determine whether your request is aligned with ODE’s research priorities.

Please note that most other state agencies do not qualify as educational agencies or FERPA-permitted entities. See question 3 for details.

3. Am I an authorized representative of ODE for the purposes of the audit and evaluation exception to FERPA's consent requirement?

Researchers operating under this FERPA exception must be designated in writing as an authorized representative of ODE or another FERPA-permitted entity¹, and must be engaged in audit or evaluation work, which does not encompass all research projects.

“Authorized representative means any entity or individual designated by a State or local educational authority or an agency headed by an official listed in §99.31(a)(3) to conduct—with respect to Federal- or State-supported education programs—any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.”²

Most researchers do not qualify as an authorized representative of ODE. To access data under this exception, you must be operating under ODE's direct control - for example, doing work that ODE has contracted you to perform.

“The term “authorized representative” also includes an outside researcher working as a contractor of a State educational authority or other official listed in § 99.31(a)(3) that has outsourced the evaluation of Federal or State supported education programs. An outside researcher may conduct independent research under this provision in the sense that the researcher may propose or initiate research projects for consideration and approval by the State educational authority or other official listed in § 99.31(a)(3) either before or after the parties have negotiated a research agreement...In so doing, an outside researcher retained to evaluate education programs...as an “authorized representative” may be given access to personally identifiable information from education records, including statistical information with unmodified small data cells. However, the term “authorized representative” does not include independent researchers that are not contractors or other parties under the direct control of an official or agency listed in § 99.31(a)(3).”³

State auditors, staff conducting research directed by the Legislature, and other state officials identified in FERPA may also be considered to be operating under the audit and evaluation exception.

¹ The Comptroller General of the United States, the Attorney General of the United States, the Secretary, or State or Local Education Authorities

² 34 CFR 99.3 “Authorized representative”

³ <https://www.govinfo.gov/content/pkg/FR-2008-12-09/pdf/E8-28864.pdf>, page 74825.

4. How can I ask ODE to sponsor my study?

ODE is currently developing a Research, Policy, and Practice Partnership, through which future studies aligned with ODE's research agenda may be sponsored. More information is forthcoming.

5. If I have signed parental consent, do I still need a data-sharing agreement (DSA)?

If you have parent (or eligible student) consent for all of the students in the data you are requesting, your request does not need to meet one of the FERPA exceptions described above, but ODE still requires a data-sharing agreement in order to ensure that the data is being handled appropriately.

You will need to provide a copy of the consent form used, and it must include:

- The specific data to be released
- The planned use(s) of the data

The consent form must have been available in the primary language of all participants.

6. Does ODE issue letters of support for potential future projects or partnerships?

Yes, ODE may, at its discretion, issue a letter of support. Letters of support, if secure ODE data is required for the project, must be approved by the Data Governance Committee through the application process outlined in Question 1. While letters of support are not data-sharing agreements, approved requests will be stored by the Data Governance Committee (DGC) to expedite the future data sharing agreement process, should the project move forward.

7. How long can I expect it to take for my request to be processed?

ODE's data governance committee meets every two weeks. Request for letters of support can typically be approved at the next meeting following submission; requests for data can typically take several meetings to gather and address all relevant feedback. Factors that typically increase DGC review time include slow responsiveness to edits and questions and lack of detail in the initial request form (particularly in the data elements or IT security questions).

If DGC approves a request for a data-sharing agreement, ODE procurement will work to develop a contract and route it for signatures. This process can take a variable amount of time depending on current workloads and the complexity of the agreement. Factors that typically increase processing time include interstate agreements, changes to ODE's standard contract language, or difficulty meeting insurance requirements.

Once the contract is in place, the DSA is routed to research and data staff to retrieve and share the data. Timelines for this can vary based on current workloads and the complexity of the data requested. Typically larger requests, requests that require ODE to

create new calculations or perform matching processes, and requests for older data, will take more time.

ODE cannot guarantee data-sharing timelines. We recommend allowing as much time as possible for your request to be completed, and providing as much initial detail as possible in order to expedite review. Typical timelines can be several months for an uncomplicated request.

8. What are my options if my request is not approved?

Please review our [published reports](#) to see if any of the data there will meet your needs. You can also submit a request for any non-secure data, including aggregated and suppressed data, via the [public records request process](#). ODE reserves the right to reject data-sharing requests for FERPA-protected data for any reason.

You may reach out to individual Oregon school districts and/or schools to request data-sharing agreements with them if your request is rejected by ODE. ODE does not govern individual district and school data sharing, and will neither recommend nor require individual districts and schools to share data with a third-party requestor for studies.

9. Can I appeal a rejection?

No. ODE does not have an appeal process for rejected DSAs. ODE reserves the right to reject data-sharing requests for FERPA-protected data for any reason.

10. Does ODE charge for data provided under data-sharing agreements?

No, ODE does not charge for data provided under approved DSAs. However, ODE agreements do require recipients to carry specified insurances, including network security and liability insurance, which may have associated costs.

Please review [Oregon's Network Security and Data Privacy Insurance Requirements](#) before submitting a data-sharing request to ensure that you will be able to meet them.

Other avenues for requesting data, such as the public records request process, may incur charges.

11. Does ODE share data for the purposes of dissertation research?

It is ODE's policy not to share secure student data for the exclusive purpose of dissertation research, in accordance with FERPA. In some circumstances, it may be possible for a student to complete a dissertation as part of conducting a study for or on behalf of ODE or other educational agencies or institutions, but ODE does not approve data-sharing requests where a dissertation is the only project deliverable.

12. Does ODE share data with other (non-educational) state agencies?

FERPA allows ODE to share data under the audit and evaluation exception with authorized representatives of state and local education agencies for specific purposes. It does not generally permit ODE to share secure student data with other (non-educational) state agencies.⁴ If you work for another state agency and have a need for student-level data, please contact us at ODE.DGC@ode.oregon.gov to discuss alternative options for completing your project.

“There is no specific exception to the written consent requirement in FERPA that permits the disclosure of personally identifiable information from students’ education records to non-educational State agencies. Educational agencies and institutions may disclose personally identifiable information for audit or evaluation purposes under §§ 99.31(a)(3) and 99.35 only to authorized representatives of the officials or agencies listed in § 99.31(a)(3)(i) through (iv)...FERPA, however, does not contain any specific exceptions to permit disclosures of personally identifiable information without consent for public health or employment reporting purposes. That said, nothing in FERPA prohibits an educational agency or institution from importing information from another source to perform its own evaluations.”⁵

Some specific exceptions have been authorized by federal law; for example, the [Summer EBT program](#). State Auditors are also an exception to this rule.

13. If I have an existing DSA with ODE, and I want to use the data for a new purpose, do I need Data Governance Committee approval?

Yes. Data shared under a DSA may **only** be used for the purposes specified in the DSA. If you have a new study or other project for which you would like to use the data you have already been given access to, you **must** complete a new data-sharing request so that we may review and approve the new use case. If approved, ODE will process an amendment to your existing DSA to add the new use case.

14. Does ODE share deidentified data?

Requests for deidentified data may be made via ODE’s [Public Records Request Process](#). Please note that ODE does **not** consider data to be fully deidentified solely by the removal of names and other direct identifiers. Indirect identifiers that might permit a student to be identified by a person with some knowledge of the educational context

⁴ Limited exceptions exist, such as in a health and safety emergency.

⁵ <https://www.govinfo.gov/content/pkg/FR-2008-12-09/pdf/E8-28864.pdf>, page 74828.

(such as combinations of demographics and enrollments, or unique attendance patterns) must also be removed or redacted before data is considered fully deidentified. Given the number of small schools and districts in Oregon, data deidentification can require the removal of large portions of student records, which may render them unusable for some purposes. Additionally, the public records request process can incur charges based on the ODE staff time needed to complete the request, which can be considerable for a full deidentification process depending on the specifics of the data involved.

15. Does ODE share data under the directory information exception to FERPA's consent requirements?

No. All personally identifiable student information held by ODE is released only under data-sharing agreements, even if the information is covered under an individual district's directory information policy. Districts may have their own policies regarding directory information, and do not share with ODE information about which students have opted out of directory information sharing.

16. Does ODE require Data Governance Committee approval to *receive* secure data from other agencies or institutions?

No, DGC approval is not required in these cases. Internal staff who need to receive secure data from other agencies should ensure that they work with IT to meet secure storage and transmission requirements before entering into a data-sharing agreement to *receive* secure data.

17. What data is currently *unavailable* for sharing?

At this time, ODE is not sharing secure data on the following topics with any requestors:

- Students Experiencing Poverty
- Students Recently Arrived/Newcomers
- Student responses to the SEED Survey

Many data collections occurring during the 2019-20 school year were cancelled due to the onset of the COVID-19 pandemic, and may not be available for data-sharing. Others may have significantly different inclusion rules, definitions, and/or regulatory contexts during 2019-20 and/or 2020-21.

Aggregates of these elements may be available in some circumstances. Requests for other sensitive or identifiable data are determined on a case-by-case basis, and may be denied for any reason.

Data from older collections may also have been collected under significantly different business rules, collection designs, and/or contexts, which limits its comparability with current datasets, and are typically more resource-intensive for ODE to provide. While

ODE does share older data under specific circumstances, requests are evaluated on a case-by-case basis to determine whether they justify the inclusion of older data.

ODE typically collects and validates data on a retrospective basis, and does not share data under DSAs until the agency considers it to be final. This can be months after the period represented by the data (for example, graduation rates for cohorts expected to graduate in spring/summer 2025 are typically finalized in early 2026).

This list is subject to change.

18. Are there limitations on tools that may be used with ODE data?

Yes. ODE considers it to be an unauthorized disclosure and violation of our data-sharing agreements to redisclose secure data to any third party not explicitly authorized by the data-sharing agreement. This includes cloud-based services such as many AI tools, matching services, and any unauthorized collaborators.

19. Are there geographic limitations on the storage and use of ODE data?

Yes. ODE data may not be stored, transmitted, or accessed outside of the United States.

20. How long can I keep student-level data?

All ODE secure data must be destroyed when it is no longer covered by an active DSA. This commonly means destruction is required at the expiration of the DSA under which it was shared, but in some cases requestors may retain the data if it is covered under a new DSA that was executed prior to the expiration of the original DSA.

If you are requesting an extension of an existing DSA, please be sure to allow sufficient time for the request to be processed. If your DSA expires before the amendment to extend the deadline is in place you will be required to delete all ODE secure data.

Some data-sharing agreements do not have a built-in expiration date. These agreements are reviewed by DGC every two years, and will expire when ODE and the recipient agree the data is no longer needed, or with 30 days' notice by ODE, in accordance with the terms of the DSA.

Please notify ODE.DGC@ode.oregon.gov that you have successfully destroyed the data.

21. How detailed should my request be?

Requests should include a detailed description of the planned research, including an explicit rationale for why the data being requested are needed, how it will benefit Oregon students, and how it aligns with ODE's research agenda. Please include details of the

planned analysis, as well as any comparison groups or data from other sources that will be included.

You do not need to identify the specific sources or names of the data elements you are requesting. However, you must clearly describe, in plain language, what data you need and why each element is necessary for your project. Additionally, you must define your study population (i.e., which students you need data for), and this population should be as narrowly defined as possible while still allowing you to complete your project.

22. Who needs to be listed on the application?

Everyone who will be accessing secure data must be listed on the application, and will need to sign a confidentiality agreement. Collaborators who are only working with aggregated *and* suppressed data do not need to be included. Secure data includes the raw data ODE provides, as well as any manipulations or calculations resulting from that data that are not suppressed.

If additional collaborators join the project after your DSA is executed, you must notify ODE and send a copy of the new collaborator's signed confidentiality agreement to ODE.DGC@ode.oregon.gov. Collaborators may **not** access ODE secure data until this step is completed.

23. What should I do if there is a data breach?

If you discover or are notified of an Incident or Breach, including a failure to comply with confidentiality obligations, you must notify ODE immediately, and in no event more than 24 hours following discovery or notification. Notification should be sent in writing to the Information Security Incident contact listed in your DSA.