

The mission of the Oregon Longitudinal Data Collaborative is to support objective analysis and reliable conclusions based on robust cross-sector, longitudinal education data.

<b>SUBJECT:</b> Data Use Standards	<b>NUMBER:</b> OLDC-STD-001
<b>DIVISION:</b> Oregon Longitudinal Data Collaborative	<b>EFFECTIVE DATE:</b> 08/20/2019
<b>APPROVED:</b> Approved by SLDS Executive Committee on 7/22/20	
<b>Architectural Artifact</b>	

<b>Owner</b>	Director, Oregon Longitudinal Data Collaborative			
<b>Status</b>	Approved			
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<b>Revision History</b>	<b>Version</b>	<b>Revision Date</b>	<b>Modified by</b>	<b>Change Summary</b>
	1.0	5/22/19	Ben Tate	Initial Draft
	1.1	8/7/19	Ben Tate	Updated with feedback from Data Subcommittee
	1.2	8/20/19	Ben Tate	Updated with feedback from Executive Committee
	1.3	3/9/20	Ben Tate	Updated Standard 6/Added Standard 14
	1.4	6/15/20	Ben Tate	Updated Standards 6, 8 and 9
	1.5	9/16/22	Ben Tate	Change from SLDS to OLDC

<b>STANDARDS:</b>	This document provides an overview of how data partners will engage with Oregon Longitudinal Data Collaborative (OLDC), how data will be transferred into the system, how the data will be used and what measures will be used to ensure privacy is protected.
<b>PURPOSE:</b>	<p>The OLDC Program has a commitment to ensure, within its area of control and influence, that the data it contains, including personally identifiable information:</p> <ul style="list-style-type: none"> <li>• Are accurate, complete, timely, and relevant.</li> <li>• Are collected, maintained, used, and disseminated in a way that respects privacy and ensures confidentiality and security.</li> <li>• Meet the goals of promoting access to the data, for evaluating and monitoring educational progress and educational programs.</li> <li>• Meet the goals of assuring accuracy, to ensure that decisions relating to an individual(s) outcome and educational opportunities are based on the best possible information.</li> </ul>
<b>SCOPE:</b>	Standards related to data transfer, storage and use of the data provided to OLDC
<b>APPLICABILITY:</b>	These standards apply to all data partner agencies as well as data requestors who want to use the data in OLDC's care

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<b>ATTACHMENTS:</b>	A. Laws and Standards
<b>DEFINITIONS:</b>	<b>Term:</b>
	<p><b>Personally Identifiable Information:</b> Personally identifiable data is data that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.</p> <p><b>Data Partner Agency:</b> Agencies who actively share data with the Oregon Longitudinal Data Collaborative and participate in the governance of the system. Currently those agencies are: the Oregon Department of Education, the Teacher Standards and Practices Commission, the Higher Education Coordinating Commission, and the Employment Department.</p> <p><b>SLDS:</b> Statewide Longitudinal Data System, the data system OLDC uses to import agency data, match it at an individual level and make that matched data available for reporting and research.</p>
<b>STANDARD 1:</b>	Data Quality
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• Data quality is the responsibility of each source agency. Each agency is responsible for verifying data provided to the OLDC is accurate and agencies shall notify OLDC immediately if data is inconsistent and provide a corrected data file to be uploaded.</li> <li>• OLDC will provide quarterly reports to the Data Subcommittee that identify inconsistencies, invalid data fields, erroneous data, or similar issues. OLDC will collaborate with the Data Subcommittee to help resolve or validate all items on the quarterly data report.</li> <li>• If the data quality is a liability to the operation of the SLDS, the issue will be discussed with the Data Subcommittee. If the Data Subcommittee is unable to resolve the issue, it will be escalated to the Executive Committee for their review and determination.</li> </ul>
<b>STANDARD 2:</b>	Data Transfer
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• OLDC imports data from all agencies on a quarterly basis.</li> <li>• Data will be within five business days after February 1<sup>st</sup>, May 1<sup>st</sup>, August 1<sup>st</sup> and November 1<sup>st</sup> of every year.</li> <li>• As new technology and processes are implemented, the transfer of data will be reviewed to ensure it is mutually acceptable and coordinated between agencies.</li> </ul>
<b>STANDARD 3:</b>	Data Dictionary
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• A Data Dictionary will be maintained by OLDC. The Data Dictionary will document the name of each data field, its definition, the source table, as well as the</li> </ul>

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	classification of that data, i.e., Level 3 data, Level 2, and Level 1 data as defined by DAS policy 107-004-050.
<b>STANDARD 4:</b>	Data Access
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• Approval for access to the SLDS will be granted to non-data partner agency staff following the Data Request Process.</li> <li>• All approved User(s) will be required to complete all steps documented in the SLDS Access policy prior to being given access.</li> </ul>
<b>STANDARD 5:</b>	Data Usage
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• The data received by the OLDC will be used in the longitudinal evaluation of educational and workforce programs and outcomes, student progress, intervention opportunities, assessment of priorities and resource allocation(s), and for research to share findings to enact positive planning and action with regards to education policy and workforce outcomes in Oregon.</li> <li>• The SLDS Executive Committee will approve any changes to the data usage scope and will notify all agencies.</li> </ul>
<b>STANDARD 6:</b>	Data Sharing (Review definitions of de-identification and re-identification)
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• Each participating agency shall retain status as the authoritative data source. Once data has been brought into the SLDS, the policies, procedures and the SLDS Governance Committees determine how and when the data will be used.</li> <li>• All data sharing IAA's and MOUs shall be in compliance with Intergovernmental cooperation pursuant to ORS Chapter 190.010 (1). Agreements shall be submitted to the Department of Administrative Services (DAS) pursuant to ORS 190; these agreements are agency binding.</li> <li>• User(s) shall not use the SLDS to re-identify individuals.</li> <li>• Any requests received by OLDC that are determined to be single agency data requests will be sent to the designated agency contacts below:             <ul style="list-style-type: none"> <li>○ ODE – Jon Wiens</li> <li>○ HECC – Amy Cox</li> <li>○ OED – Brenda Turner</li> </ul> </li> <li>• The OLDC will only share the minimal amount of data that is needed to fulfill any approved request.</li> </ul>

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<b>STANDARD 7:</b>	Data Privacy
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• Data partner agencies accept shared responsibility for the privacy and confidentiality of any data that are linked. The responsibility for each agency’s data, while within their transactional data systems, lies with each individual agency, until the data transfer is completed. Once data is loaded into the SLDS, the responsibility to ensure privacy lies with OLDC.</li> <li>• Data Partner Agencies and OLDC will share responsibility for ensuring that the data transmission is appropriately secured.</li> <li>• The agencies and users of SLDS will adhere to privacy and confidentiality policies identified through the SLDS Governance Committees, Federal, and State laws and statutes (see Exhibit A for a list of all relevant laws and standards).</li> </ul>
<b>STANDARD 8:</b>	Confidentiality of Personally Identifiable Information (PII)
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• OLDC de-identifies the data while still allowing users to capture data from individuals over a span of time and from various agencies. This is accomplished by removing the elements of PII that allows people to be identified and to replace that information with a master ID.</li> <li>• Requestors will be provided the data as agreed to during the Data Request Process.</li> <li>• The PII data in the SLDS is given a master identification number. This ID links all student data together and replaces the students PII. Users will use the master ID to perform work without identifying the student. Users accessing the SLDS data will be given rights and access to the de-identified data warehouse.</li> <li>• If OLDC team receives a Data Request that requires access to PII in the course of the work, the Research Subcommittee shall determine if access to PII will be granted and under what conditions. If the work is approved by the Research Subcommittee, the User will be provided the data. Special provisions may apply as directed by the Research Subcommittee. All users must abide by the terms and conditions of the IAA.</li> <li>• The User(s) shall only utilize the data received through the Data Request process to meet the purpose as described in the approved Data Request. The approval of one Data Request does not confer approval to use it for another purpose.</li> </ul>
<b>STANDARD 9:</b>	Data Protection (review for international and cloud data storage)
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• OLDC will abide by all applicable security standards as outlined in Oregon’s Enterprise Information Technology Policies (Policies 107-004-051, 107-004-052, and 107-004-120).</li> <li>• All data shall be handled securely and confidentially, in accordance with the agreement terms and conditions, federal and state laws, and agency policies (See</li> </ul>

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	<p>Exhibit A for complete list). If there is a conflict in agency policies, the SLDS Governance Executive Committee shall set precedence.</p> <ul style="list-style-type: none"> <li>• If the research, analysis and/or evaluation requested has received permission for SLDS access, the following rules shall apply: <ul style="list-style-type: none"> <li>○ All data shall be transmitted via secure connection such as Virtual Private Network (VPN) or Secure FTP File Transfer Protocol (SSL) connectivity.</li> <li>○ The data shall not be copied unless approved by the SLDS Research Sub-Committee in writing and an extract of the data shall not be made available to anyone without written approval from the SLDS Research Sub-Committee. The approval must be noted on the Data Request Form.</li> <li>○ The Approved User(s) shall maintain the data in an area which has access limited, both physically and virtually, to authorized personnel only and can be locked or secured.</li> <li>○ Approved User(s) shall not permit removal of any data from the limited access area.</li> <li>○ User(s) shall NOT transmit any confidential data provided by OLDC using email unless encryption has been approved and is written into the approved Data Request Form.</li> <li>○ User(s) shall ensure access to the data maintained in computer files or databases is controlled by password protection. User(s) shall maintain all printouts, disks/CDs, flash-drives or other physical products containing personally identifiable information derived from data in locked cabinets, file drawers, or other secure locations when not in use.</li> <li>○ User(s) shall ensure all printouts, tabulations, and reports are edited for any possible disclosure unless User(s) have obtained prior written approval to allow authorized individual(s) to view data and this authorization must be in the Data Request Form.</li> <li>○ Even aggregated (both suppressed and unsuppressed) and anonymized data should be handled securely.</li> <li>○ User(s) shall establish procedures to ensure the data cannot be extracted from computer file(s) or database(s) by unauthorized individual(s).</li> <li>○ No personally owned computers or devices are allowed to access, except through authorized remote technology. Users are not allowed to store data or to take any data outside of the approved work environment.</li> <li>○ Notify the Security Operations Center (SOC) in the event the security, confidentiality or integrity of the data exchanged in the SLDS system is, or is reasonably believed to have been, compromised. SOC shall be notified by</li> </ul> </li> </ul>
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	<p>the OLDC Director as soon as possible and within twenty-four (24) hours of discovery of the incident. The Enterprise Security Office (ESO), SOC hotline is 503-378-5930. SOC will work with the Oregon State Data Center and the OLDC Director. When instructed, the OLDC Director shall notify Agencies by contacting the representatives of the Privacy Subcommittee. The Statewide Incident Response Plan, ESO contact information, and additional information related to ESO’s Security Incident Response plans, policies and procedures are located at: <a href="https://www.oregon.gov/das/OSCIO/Pages/SecurityResponse.aspx">https://www.oregon.gov/das/OSCIO/Pages/SecurityResponse.aspx</a>.</p> <ul style="list-style-type: none"> <li>At the completion of the research, analysis and/or evaluation, User(s) must destroy all data that was provided by OLDC and retained in their secure environment. The data must be destroyed within 15 business days of the completion of the research, analysis, and/or evaluation. The data may be stored on various devices and in many forms, but it is the responsibility of the agencies and User(s) to know where all the data resides and destroy it in its entirety. Only the resulting reports and approved documentation may survive.</li> </ul>
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<b>STANDARD 10:</b>	Data Partner Access
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<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>Data Partner Agency staff must follow all requirements for access as identified in the SLDS Access Policy. However, agency staff may retain access without having an approved research request.</li> <li>Any published work by data partner agency staff using data provided by OLDC must go through the data request and research review processes.</li> <li>Agency staff user names and passwords must not be shared and must be protected. Any breach will result in rights/access removal.</li> <li>Should agencies need to replace any approved User(s), agencies shall submit in writing the User(s) being removed and the User(s) to be added. The request shall be submitted to OLDC.</li> <li>Agencies must notify OLDC immediately in writing when a User(s) is terminated and can no longer have access to the SLDS. Agencies must provide the name, and date access is to be removed.</li> <li>Agencies shall not, and must ensure that approved user(s) shall not: <ul style="list-style-type: none"> <li>Download, save, edit, photograph, print, or transfer the whole or any portion of the Confidential Information from the SLDS for either the approved use or for any other purpose;</li> <li>Remove, bypass, circumvent, neutralize or modify any technological protection measures of the SLDS; or</li> <li>Share any username, password or other account details with a third party or otherwise provide a third party with access to the approved user(s) or</li> </ul> </li> </ul>
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	agencies account to the SLDS.
<b>STANDARD 11:</b>	Data Suppression
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• Reports published using SLDS data will display the data applying the suppression rules of the agency providing the data. If using data from more than one agency, then the most restrictive suppression rule is to be applied.</li> <li>• If there is any question(s) concerning suppression rules, User(s) should notify OLDC to obtain a decision.</li> <li>• Current suppression rules:             <ul style="list-style-type: none"> <li>○ Oregon Department of Education (ODE)                 <ul style="list-style-type: none"> <li>▪ If counts are shown, suppress counts of 5 or fewer (less than 6).</li> <li>▪ If percentages are shown, suppress 5% or less and 95% or greater.</li> </ul> </li> <li>○ Higher Education (HECC)                 <ul style="list-style-type: none"> <li>▪ If counts are shown, suppress 10 or fewer (count).</li> <li>▪ If percentages shown, suppress based on counts of 9 or fewer.</li> </ul> </li> <li>○ Workforce (OED)                 <ul style="list-style-type: none"> <li>▪ Suppress data if there are fewer than three (3) records for any data point.</li> </ul> </li> </ul> </li> <li>• Care will be taken when utilizing cell suppression alone to employ additional methods to ensure that sensitive student counts cannot be found through the use of available percentages or data in other related tables. Data users will refer to the best practices outlined by the National Center for Education Statistics in Technical Brief 3, Statistical Methods for Protecting Personally identifiable Information in Aggregate Reporting” to minimize, to the greatest extent possible, the risk that individuals could be identified.</li> </ul>
<b>STANDARD 12:</b>	Data Destruction
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• OLDC will destroy all personally identifiable information provided by Data Partner Agencies within seven days after that data is required for matching.</li> </ul>
<b>STANDARD 13:</b>	Public Records Requests
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• OLDC will route any Agency-Specific data requests received through the website to the appropriate data partner agency.</li> <li>• If the request is from the legislature, OLDC will work with the appropriate data</li> </ul>

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	partner agency on the response.
<b>STANDARD 14:</b>	Data Use Prioritization
<b>KEY FEATURES:</b>	<ul style="list-style-type: none"> <li>• The OLDC will work on data requests and reports according to priorities set by the SLDS Research Subcommittee.</li> <li>• Any request for an urgent report must be approved by the SLDS Research Subcommittee prior to any action being taken by OLDC.</li> </ul>



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### **Exhibit A – Laws and Standards**

The Agencies shall adhere to privacy and confidentiality policies identified through the Oregon SLDS Governance Committee, Federal, and State laws and statutes. The SLDS Program Team will follow the security standards in place with the Office of the State Chief Information Officer (OSCIO) at a minimum. The SLDS Program is following the National Center for Educational Statistics (NCES) best practices and recommendations. This list of laws and statutes for reference is not all, inclusive. In addition to the identified laws/statutes, technology best practices for secure data transfer and data storage will also be employed as such technology advances.

All Parties shall comply with the following laws and standards:

- Privacy Act of 1974: Defines, and provides for the security and privacy of, personal data maintained by the federal government.
- Privacy Protection Act of 1980 (PPA)
- Computer Security Act of 1987: Increases the protection requirements for Privacy Act data and other sensitive federal information; requires a security plan for each computer system that contains sensitive federal information.
- E-Government Act of 2002, Title V, subtitle A, Confidential Information Protection mandates the protection of individually identifiable information that is collected by any federal agency for statistical purposes. Unauthorized disclosure of these data is a class E felony.
- Education Sciences Reform Act of 2002: Mandates the protection of individually identifiable information about students, their families, and schools that is collected and disseminated by IES. Unauthorized disclosure of these data is a class E felony.
- Family Educational Rights and Privacy Act of 1974 (FERPA)
- Oregon Consumer Identity Theft Protection Act of 1970 (ORS 646A et seq.)
- Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- Individuals with Disabilities Education Act (IDEA) of 1975
- Applicable Oregon privacy statutes (e.g., ORS 84, 182, 187, 326, 336, 581)
- Applicable State of Oregon Laws
- Applicable Federal Laws
- Other statutes may apply under certain circumstances, such as the Computer Fraud and Abuse Act of 1986, which makes it a felony to gain unauthorized access to a computer system containing federal data, or to abuse the access one has, with the purpose of doing malicious destruction or damage.
- Oregon SLDS Program Information Security plan
- OSCIO security standards: <http://www.oregon.gov/das/OSCIO/Pages/SecurityGuidance.aspx>
- ETS security standards
- NISTIR 7298 Glossary of Key Information Security Terms
- DAMA-DMBOK – Data Management Book of Knowledge
- ISO/IEC JTC 1 – Information Technology
- Department of Administrative Services Policies (e.g., 107-004)
- As a hosted client of the Oregon State Data Center (SDC), annual risk assessments will be conducted of the data system integrity, which is in compliance with the DAS State Standards. Data classifications for each environment (data assets) within the Oregon SLDS will be maintained as part of the security requirements for data integrity.
- National Center for Education Statistics SLDS in “Technical Brief 3 Statistical Methods for Protecting Personally identifiable Information in Aggregate Reporting”