

Linkage of STP Data with Other Data

Introduction

This policy describes the legal and ethical circumstances under which other data may be linked with Student Transitions Project (STP) data on either a temporary or ongoing basis. Such linkages require the unanimous consent of the STP Steering Committee and the signing of a research or information sharing agreement before any data can be exchanged or processed. Specific procedures and details concerning the implementation of this policy appear in other documents.

Background

This section describes the constraints on the use of STP data, setting the context as to why the STP Steering Committee will approve only certain linkages of STP data with other data sets.

Legal Framework

The provincial *Freedom of Information and Protection and Privacy Act* establishes the boundaries within which STP operates. It protects the privacy of individuals and prohibits STP data from being used to make decisions about individuals.

Section 35 allows for the disclosure of STP data for research or statistical purposes on such conditions as:

- The research purpose cannot reasonably be accomplished in other ways
- The information is not used to contact the person to participate in the research
- The record linkage is not harmful to the individuals that the information is about
- The benefits to be derived from the record linkage are clearly in the public interest.

This section allows only for **one-time use** of STP data; any subsequent use requires a new authorization. The required legal documentation is known as a research agreement.

Sections 33 and 34, the sections under which STP itself is established, allow for **enduring data linkages**. If there is a need to link existing STP data with other data on an ongoing basis, a revision to the STP information sharing agreement itself would be required. This would entail all parties signing the revised agreement anew.

STP Purpose

Within the constraints of the *Freedom of Information and Protection and Privacy Act*, the STP is established through an information sharing agreement. All uses of STP data, whether linked with other data sets or not, must be consistent with the purpose of the STP as described in the STP information sharing agreement. Relevant sections of the STP information sharing agreement (January 2009 update) about the purpose of STP include:

- 2.2 “provide educational programming, conduct research and program evaluation/improvement, track students as they progress and move laterally through the K-12 and post-secondary systems, plan programs, structure institutions and allocate resources”
- 4.2 “permit evaluative and predictive research and program evaluation that is crucial in understanding, improving and planning for K-12/Post Secondary student transitions”

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- 4.3 “conduct research, program evaluation, planning and improvements within the integrated K-12/post-secondary system in British Columbia”

Research projects requesting any linking to STP data must demonstrate that the research is related and limited to educational purposes.

Scope of STP

The STP information sharing agreement lists the data elements that may be brought into the STP data base from the K-12 system and from post-secondary institutions. The STP is being implemented gradually and not all permitted data elements are currently loaded into the STP data base. Additional elements will be loaded only when the STP infrastructure is sufficiently robust to ensure the additional data are of high quality. This capacity-building process takes priority over any proposed linkages with non-STP data.

Student names fall outside the scope of the STP information sharing agreement. The STP data base is constructed using the Provincial Education Number (PEN) to match records. All linkages of STP data with other data must therefore be done using the PEN.

Data Release by Postsecondary Applicants

Public postsecondary institutions in BC have a data release clause on their application form in which the applicant agrees that information may be used, among other purposes, for research (within the constraints of various educational and privacy legislation.) The ethical interpretation of this release is one of informed consent and consistent purpose, namely that a reasonable student would find the research purpose to be one that advances education (education being the reason for which they provided their data in the first place.)

STP Data Access Policy

Linked data must be used in a manner consistent with the STP Data Access Policy.

The STP Data Access Policy specifies that only a handful of “data custodians” (e.g. information technology employees in the Ministry of Education who support the STP project) and “user level 1” researchers may see the PENs used by STP. A few more employees in other provincial government ministries and agencies may see encrypted PENs. A very limited number of users have access to anonymized individual student records within STP, but most researchers (typically no more than three per post-secondary institution or other organization) are granted access only to aggregated STP data upon the signing of appropriate documentation.

The Data Access policy makes provision for academic researchers who operate under the auspices of ethics committees. The general public may see only highly aggregated data in reports published in print or posted on the internet.

Permitted Data Linkages

Each linkage request is considered on its own merits by the STP Steering Committee. Precedent informs but does not determine whether approval is granted. Factors such as workload implications for STP, the description in the proposal of how the research is in the public interest, whether the researcher is affiliated with a public post-secondary institution whose research ethics committee has approved the proposal, and whether it is practical to achieve the research objective in another way are also taken into account.

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As explained above, any research using STP data must be related and limited to educational purposes. Examples of data linkages that are typically permissible include those to identify subpopulations of students and to track the flow of students beyond the BC public education system.

Concurrent linkages of STP data with more than one other data set may be done only by STP staff and its contractors. (When STP data are sent to external researchers for linkage, only a single data set may be linked with STP data. This restriction assists the STP Steering Committee in ensuring STP data are used only according to STP's authorized purposes and procedures.) Because legislation restricts research agreements to one-time use of data, sequential linkages, wherein linked STP data would subsequently be linked with yet another data set, are not permitted.

Procedural Considerations

Requests to link with STP data must include descriptions of:

- The research purpose, how it is primarily educational in nature, and the anticipated benefits of the research
- Why linking with STP data is the only reasonable way of achieving the research purpose
- The specific STP data elements requested
- How data will be linked
- Data security plans, risk assessment and assurance of no harm to individuals

Only data approved by the STP Steering Committee may be used in the linked data set and only the minimum STP data required to achieve the research purpose will be provided. STP data elements used for linking purposes and not subsequently required for the research must be destroyed immediately after the linkage has occurred. Ownership of the STP data in the linked data set remains with STP.

Intermediaries, such as an agency established by a university, may sometimes be granted permission to make linkages on behalf of other researchers, provided that the intermediary can be held accountable by a provincial or federal government.

Use of STP data for linking with other data sets by representatives of BC public postsecondary institutions, the BC Ministry of Education, and the BC Ministry of Advanced Education may, at the discretion of the STP Steering Committee, be expedited and allow concurrent linkages. Expedited approval still requires the Steering Committee to approve the research purpose, justification and methodology, including confirmation of established commitments to data security and risk mitigation procedures. Independent research projects for academic purposes, even when conducted by employees of the foregoing STP affiliated organizations, must follow the regular, and not expedited, approval process.

STP data cannot be used or distributed for any purpose other than those specified in the approved research project. The STP Steering Committee must be given opportunity to comment on the analysis and interpretation of the STP data in the research project prior to the publication of the findings. Any such commentary is advisory and not binding on the researchers.

An inventory and status report of all research involving linked STP data is available for inspection upon request to the Ministry of Advanced Education.