**ORGANIZATION, PHILOSOPHY, AND GOALS**

**Philosophy and Goals**

**Approval Process for Research Studies and Data Collection Activities**

This policy supersedes Policy 1475.~~2~~3.

## I. PURPOSE

To regulate data collection by internal and external parties and the release of protected data to external parties in alignment with the school division's ~~toward a~~ commitment to accuracy, utility, and the ethical and legal rights of staff, students, parents, volunteers, or community members.

## II. SUMMARY OF CHANGES ~~SINCE LAST PUBLICATION~~

~~A. This policy has been completely revised. The revisions create structures to manage the amount and timing of data collection by external and internal parties and strengthen the guidance on data release to external parties to improve privacy protections.~~
~~B. Sections have been reworded for clarity and reordered to improve the structural flow.~~
~~C. Legal and cross references have been updated.~~

- A philosophy section has been added.
- The applicability section has been edited for clarity.
- References to Regulation 1475 have been added.
- Legal references have been updated.

## III. DEFINITIONS

**Data Collection:** ~~Data Collection is t~~ The gathering of new information (through observations, tests, surveys, interviews, focus groups, etc.) for the purpose of research.

**Data Release**: The ~~is~~ Fairfax County Public Schools' (FCPS) provision of existing records from or about individuals, classrooms, or other entities for research, monitoring, accountability, or decision-making purposes.

**External Parties**: ~~are i~~Individuals desiring to collect or obtain data in part or in full for their own use. FCPS employees are considered external parties when data is collected by or released to them for a reason other than the fulfillment of job responsibilities, e.g., as part of coursework for a graduate degree. FCPS students are considered external parties when they collect or request the release of data from or about other FCPS students, staff, parents, volunteers, or community members.

**Internal Parties:** ~~are~~ FCPS staff engaged in data collection as part of their job responsibilities or designees contracted by FCPS to collect data for FCPS' exclusive use.

**Protected Data:** ~~is d~~Data on FCPS students, staff, volunteers, parents, or the community that is regulated by federal law, state law, FCPS policy or regulation. It does

not include data that may be disclosed according to the Virginia Freedom of Information Act (VFOIA).

## IV. PHILOSOPHY

The Fairfax County School Board recognizes that responsible data collection, research, and evaluation activities can support continuous improvement, inform decision-making, strengthen accountability, and contribute to the broader field of education. The School Board affirms that participation in well-designed and ethically conducted research may provide meaningful benefits to students, staff, and the community when such activities clearly align with the division's strategic priorities, demonstrably support student learning, school improvement, or operational effectiveness, and are conducted with appropriate safeguards.

## V. RESPONSIBILITIES

The Division Superintendent shall establish detailed procedures in regulation to implement this policy in a manner that promotes transparency, equity, ethical stewardship, and operational feasibility.

### A. APPLICABILITY

The policy pertains to data collection in the division (typically involving FCPS students, staff, volunteers, parents, or the community in surveys, interviews, or focus groups) by either external or internal parties. It also applies to the release of protected data to external parties. FCPS may identify certain types of data collection and release of data as not subject to review as described in the regulation associated with this policy. This policy applies to both newly collected data and requests for access to or use of existing protected data maintained by FCPS.

### B. AUTHORITY TO APPROVE

The Fairfax County School Board recognizes the potential benefits of the division's participation in relevant, well-designed data collection activities for research purposes by qualified individuals, organizations, or institutions. The School Board authorizes the Division Superintendent or designee to detail in regulation the procedures and criteria to apply in the review and approval of applications for data collection and the release of protected data. The approval criteria must include, but are not limited to:

1. Direct benefit to FCPS;
2. Time and resource requirements for data collection and release;
3. Adherence to legal and ethical standards; and
4. Technical adequacy of the data collection methods and reporting of data.

The Division Superintendent or designee may revoke the approval to conduct data collection or to release protected data as specified in the regulation.

## C. PRIVACY PROTECTIONS, CONSENT, AND INSPECTION RIGHTS

### 1. Use of Name or Identifying Characteristics

The School Board does not allow external parties to publish or publicly present research that identifies the Division or its schools by name. Further, the School Board does not allow researchers to publish or publicly present research that includes de facto identification of the Division through the sharing of unique and identifiable characteristics that effectively identify FCPS as the subject of the research (e.g., the largest school system in Virginia). Any exception requires written permission from the Division Superintendent or designee.

### 2. Informed Consent

Data collection and data release activities require informed consent from participants. The details of ~~what is required in~~ the informed consent process requirements vary ~~varies~~ as described in the regulation. Exceptions to active informed consent requirements shall be limited and defined in Regulation 1475, Research Studies and Data Collection Activities. ~~The only exception to the informed consent requirement is for the release of anonymous data (i.e., data that does not include information that would allow it to be linked to a specific student, parent, or staff member by any persons).~~ Any data collected by external parties, anonymous or not, requires informed consent from participants.

### 3. Confidentiality of Personally-Identifiable Student and Employee Information

FCPS requires active consent for data collection, as well as for the release of protected data to external parties when the data can identify individuals. Typically, this takes the form of a signed consent form or opt-in process as described in the regulation. FCPS reserves the right to require active consent even without a state code requirement ~~if the state code does not require it~~ or an Institutional Review Board (IRB) waiver ~~has waived it~~.

### 4. Right of Instrument Inspection and Consent Procedures for Sensitive Topics

Sensitive topics shall include any topic referenced by the federal Pupil Privacy Rights Amendment or Section 22.1-79.3 of the Code of Virginia. The School Board authorizes the Division Superintendent ~~or designee~~ to deem additional topics as sensitive when it is in the best interest of students. The criteria ~~details of what constitutes a~~ used to determine what constitutes a sensitive topics are described in the regulation. Parents or guardians shall be provided with 30-day advance notice of, and the opportunity to inspect, any data collection instrument (e.g., a survey) or procedure asking students about sensitive topics. Research funded completely or in part by the U.S. Department of Education involving sensitive topics requires active consent. ~~FCPS staff may use an opt-out process (sometimes referred to as passive consent) when collecting data involving sensitive topics as part of the instructional program.~~ The use of passive consent procedures for activities involving sensitive topics shall be governed by Regulation 1475, Research Studies and Data Collection Activities.

## D. AUTHORITY TO IMPOSE FEES

This policy authorizes the Division Superintendent or designee to impose reasonable fees for screening applications from external parties and for the compilation and release of protected data to external parties.

Legal references:
The Family Educational Rights and Privacy Act, 20 USC 1232g
Pupil Privacy Rights Amendment Act, 20 USC Section 1232h
Children's Online Privacy Protection Act (COPPA), 15 USC Section 6501–6506
Code of Virginia, Section 22.1-79.3
Code of Virginia Section 22.1-289.03
Virginia Freedom of Information Act, Code of Virginia Sections 2.2-3700 thru 2.2-3714

Cross References: See also the current versions of
Policy 1405, Accountability for Instructional Programs and Services
Policy 1501, Public Access to Information
Policy 2701, Student Personal Data
Policy 2720, Student Lists
Policy 2730, Confidentiality of Student Information
Regulation 1475, Research Studies and Data Collection Activities

Policy
Adopted: October 8, 1998
Reviewed: August 12, 2005
Revised ~~ewed and Corrected~~: September 22, 2011
Revised ~~ewed and Corrected~~: September 27, 2018
Revised: XXXX, 2026

FAIRFAX COUNTY SCHOOL BOARD