



Student Assessment Data

Request Form

The New Mexico Public Education Department Institutional Review Committee (IRC) reviews requests for release of all Student Assessment Data of confidential nature that the Agency possesses. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99, 1974) is a Federal law that protects the privacy of student education records. The law applies to all local and state agencies that receive funds under an applicable program of the U.S. Department of Education. The New Mexico PED is required to share student assessment information in a manner consistent with FERPA.

Submit Completed Form to:
Dr. Stephanie Marquez
NMPED fax: 505-827-6689 or mail:
NMPED Assessment and Accountability
Room 124
Attn: Birgit Anderson
300 Don Gaspar, Santa Fe, NM 87501

Requestor(s) NAME:		
AFFILIATION:		
<input type="checkbox"/> Parent	<input type="checkbox"/> Press	<input type="checkbox"/> State Agency (Specify)
<input type="checkbox"/> Vendor/Contractor		<input type="checkbox"/> Other: Specify
PHONE NUMBER:		EMAIL:
DATE of APPLICATION:		REQUESTED DELIVERY DATE:
ABBREVIATED STUDY TITLE:		PURPOSE OF PROJECT:

Description of Request

<u>Assessment (check all that apply):</u>		
<input type="checkbox"/> SBA	<input type="checkbox"/> NMAPA	<input type="checkbox"/> NMELPA
<input type="checkbox"/> GED	<input type="checkbox"/> NMHSCE	<input type="checkbox"/> Other
<u>Content Areas from the Assessment (check all that apply):</u>		
<input type="checkbox"/> Reading	<input type="checkbox"/> Math	<input type="checkbox"/> Science
<input type="checkbox"/> Social Studies		<input type="checkbox"/> Other
Assessment dates/ years		Grade levels
Subpopulations or subgroups		
School districts		Schools

Answer the following questions to help determine the details of your request

1. What is the intended use of this research?

2. What is the research question?

3. Do you need to know about individual students for tracking? That is, will the data include fields that allow the individual to be identifiable by the investigator through a unique ID or set of identifiable fields such as name, school, DOB, or other information?

4. Are you linking this data to any other data set or sources? (Specify exactly):

5. Is this project reviewed by any other review board?

YES NO

6. Is this project covered by any legal agreement outside of NMPED?

YES NO

CERTIFICATIONS: The above statements are accurate and true. There may be costs attached to this request. This data might be protected under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99).

Signature: _____ Date: _____

Requests for Public Information:

All Data requests are covered under law as “Public Records Requests”. The NMPED follows procedures contained in the New Mexico Inspection of Public Record Act (NMSA 1978, Chapter 14, Article 2) and the New Mexico Attorney General’s published compliance guide as follows: Upon receipt of an Inspection of Public Records request, the NMPED Custodian of Record will respond in writing within three calendar days to acknowledge receipt of that request. Then, after determining if the requested records exist, records cleared for release will be transferred, using secure data transfer protocols, within 14 days, or longer by request for extensions of the time limit.

ATTACHMENTS:

FERPA

PRICING

The NMPED Institutional Review Committee (IRC) serves as the Agency Review Committee for the review of request for release of Student Assessment Data. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all LEAS and SEAs and State Agencies that receive funds under an applicable program of the U.S. Department of Education. An additional set of protections resides in the (The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98).

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school or the state. The State or the schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. A fee may be charged for copies.

Generally, schools or the state must have written permission from the parent or eligible student in order to release any information from a student's education record.

However, FERPA allows schools or the state to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98) applies to programs that receive funding from the U.S. Department of Education (USED). PPRA is intended to protect the rights of parents and students in two ways:

It seeks to ensure that schools and contractors make instructional materials available for inspection by parents if those materials will be used in connection with an USED-funded survey, analysis, or evaluation in which their children participate; and

It seeks to ensure that schools and contractors obtain written parental consent before minor students are required to participate in any USED-funded survey, analysis, or evaluation that reveals information concerning:

1. Political affiliations;
2. Mental and psychological problems potentially embarrassing to the student and his/her family;
3. Sex behavior and attitudes;
4. Illegal, anti-social, self-incriminating and demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents or students who believe their rights under PPRA might have been violated may file a complaint with ED by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of PPRA occurred.

You may contact us the Family Policy Compliance Office at the following address:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920**

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339.

PRICING POLICY

Pricing for Data Preparation

A contractor of the New Mexico Public Education Department (PED) provides customized extractions of student assessment data from the agency’s master database to research organizations and individuals that meet FERPA requirements and become contractors to the agency. The cost of data extraction is dependent upon the number of data fields, data records, and data files requested. A fee for programming data extraction is applied to all requests (see Price Schedule below). Additional fees apply to requests for multiple data files and records matching. Gross Receipts Tax is added to the base cost. All fees for data extraction are paid directly to the contractor by the party requesting data.

Description	Rate per Unit
Setup fee for data request	\$300
# of fields requested	\$10.00 per field
# of records selected	
1-10,000	\$0.05
10,001 plus	\$0.001
# of Data files or # of years of data for same or similar data file	\$100 per file or year
# of fields involved in selection or matching criteria	\$100 per field
Database development, statistical programming, data transfer, data masking, technical consultation, or similar activities.	\$75 per hour
Gross Receipts Tax – 5.8125%	