

MEMORANDUM OF UNDERSTANDING

By and between
the Ohio Department of Education and _____

This agreement is entered into by the Ohio Department of Education ("ODE") and _____ ("Researcher") for the purpose of sharing information between the parties in a manner consistent with the Family Education Records Privacy Act of 1974 ("FERPA"). The information will be used by researchers at _____ to conduct evaluative studies designed to improve instruction for children in the state of Ohio. Topics of these studies will include: _____. In order to complete these studies and in order to have a positive impact on the instruction of children, the Researcher requires the use of student data from the ODE.

The Family Educational Rights and Privacy Acts Statute (FERPA) describes circumstances under which State Educational Agencies (SEAs) are authorized to release data from an education record. This information can be disclosed to organizations conducting studies on behalf of SEAs, provided that Federal, State or local law authorizes the evaluation in question. Ohio Revised Code § 3301.12 grants to the ODE State Superintendent of Public Instruction the authority to conduct studies of education programs, but the provision prohibits access to a student's name, address or social security number.

I. PARTIES. The ODE is an SEA that is authorized to receive information from local educational agencies ("LEAs") subject to FERPA, as authorized by 34 CFR Section 99.31. Researcher desires to conduct studies on behalf of ODE for the purpose of improving instruction in Ohio public schools in accordance with the Scope of Work Agreement attached hereto as Appendix A. The parties wish to share data collected by the ODE regarding education in Ohio, none of which will allow the identification of individual students.

II. COMPLIANCE WITH FERPA. To effect the transfer of data subject to FERPA, Researcher agrees to:

1. In all respects comply with the provisions of FERPA. For purposes of this agreement, "FERPA" includes any amendments or other relevant provisions of federal law, as well as all requirements of Chapter 99 of Title 34 of the Code of Federal Regulations. Nothing in this agreement may be construed to allow either party to maintain, use, disclose or share student information in a manner not allowed by federal law or regulation.
2. Use the data shared under this agreement for no purpose other than research authorized under Section 99.31(a)(3)(iv) or 99.31(a)(6) of Title 34 of the Code of Federal Regulations. Researcher further agrees not to share data received under this MOU with any other entity without the ODE's approval. Researcher agrees to allow the Office of the State Auditor, subject to FERPA restrictions,

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RS Peters



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