Balancing Confidentiality & Access: Sharing Administrative Data for Policy Analysis & Research

Wednesday, September 2, 2015
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- Decreased computing costs
- Increased demand for public data
- Technological advances
- Agency resources adjusted accordingly
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Study: Data Confidentiality and Intra-state Data Sharing

Goal
1. Better understand the legal & regulatory environment, policies, & practices in data sharing
2. Explore ways to expand access to confidential data for policy analysis & research

Stakeholders

Data Producers & their Advisors
• State LMI divisions
• LMI division legal counsel
• Attorneys general offices

Typical Data Users
• Economic development agencies
• Workforce investment boards
• Community colleges
• University research centers
• Independent research organizations
• National associations
• Federal statistical agencies
Major Challenges

### Legal & Regulatory Restrictions
- Complex system of laws & regulations
- Inconsistent interpretations

### Data User Capabilities
- Rigid exempt status criteria
- Difficulty preparing requests
- Limited capacity to protect & manage data

### Data Producer Concerns
- Bureaucratic processes
- Limited capacity to meet demand for data
- Divided control of data

### Value & Trust Impediments
- Uninformed elected officials
- Risk averse data producers
- Doubts about data user capabilities
- User concerns w/data quality
Effective Strategies

Legal & Regulatory Restrictions

• Educate elected officials & legal counsel
• City University of New York

Data User Capabilities

• Technical guidance on process & requirements
• Washington State

Data Producer Concerns

• Preliminary assessment of data requests
• Pennsylvania

Value & Trust Impediments

• Requiring review of research activities & outcomes
• Maryland
Recommendations

Align Laws, Policies, & Procedures

- Advocate for clearer regulations on non-disclosure exemptions
- Document data producer policies & procedures

Educate Key Decision Makers

- Presentations & training at national convenings
- Add data sharing to national policy organizations’ agendas

Develop Training & Resources

- Formal guidance & training on legal interpretation, data sharing, & appropriate use

Collect & Share Best Practices

- Publish a technical guide on preparing request forms & agreements
Thank You

Haden Springer
hspringer@crec.net