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Addressing Challenges of Restricted Data Access

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Standardizing Data Access, Sharing, and Use Agreements Workshop

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Addressing *social* challenges

Key points:

➢ Technical solutions are not sufficient

➢ Legal and social dimensions necessary to create and maintain culture of confidentiality

- ➢ Training
- ➢ Researcher credentialing
- ➢ Institutional buy-in
- ➢ Credible and effective consequences

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Training

- ➢ Survey of 23 repositories with restricted data
  - ➢ All repositories think it's a good idea
  - ➢ Only 6 repositories require it (Tyler 2020)
- ➢ NIH requires responsible conduct of research training
  - ➢ No one includes data stewardship (Doonan et al 2019)
- ➢ Training modules exist
  - ➢ CITI, SANS, Census, ICPSR
  - ➢ No consensus on needed content

Training helps to create culture of confidentiality

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Researcher Passport

➢ Credentialing researchers

   ➢ expedites access

   ➢ allows researchers to build reputation

   ➢ creates new dimension for enforcement

   ➢ links to publications, etc.

https://www.youtube.com/watch?v=xM9tSlpEIPE

➢ Currently building APIs so that others can query passport information and we can link to ORCID, SciENcv, CITI, etc.

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Improving data use agreements

- Moving to modularized agreements to avoid
  - unnecessary (and often problematic) variation
  - time consuming and expensive negotiation
  - burdensome restrictions
- Critical components
  - Institutional signature, commitment to use institutional misconduct policies to enforce agreements
  - Template: http://hdl.handle.net/2027.42/151938

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Credible punishments

➢ Punishments that you won't use – or that researchers think you won't use – don't affect behavior

➢ What are the options?

  ➢ Jail, fines

  ➢ Loss of funding

  ➢ Loss of job or expulsion from academic program

  ➢ Loss of access to data

    ➢ Now and forever, multiple sources of data

  ➢ Institutional consequences

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DataJeff loves citations

Tyler, A. R. B. (2020). Facilitating access to restricted data: Operationalizing trust in data users. *International Journal of Digital Curation*

Doonan, Ashley; Akmon, Dharma; Cosby, Evan (2019). *An Exploratory Analysis of Social Science Graduate Education in Data Management and Data Sharing.* http://hdl.handle.net/2027.42/150174

Levenstein, Margaret C.; Tyler, Allison R. B.; Davidson Bleckman, Johanna (2018).The Researcher Passport: Improving Data Access and Confidentiality Protection http://hdl.handle.net/2027.42/143808