

- SUBJECT:** Family Educational Rights and Privacy Act (FERPA)
Release of Information
- REFERENCE:** Workforce Investment Act of 1998; Family Educational Rights and Privacy Act; 1/30/03 Memorandum from Department of Education; 1/19/01 Memorandum from Department of Labor and Department of Education.
- BACKGROUND:** Section 122 of the Workforce Investment Act (WIA) requires that, for a program of study to be eligible to receive training funds under Section 134(d)(4) of WIA, the provider of the program must provide certain performance outcome information relating to all students who participated in the program. In January 2001, the Departments of Education and Labor jointly provided guidance through a memorandum allowing for a State educational authority to "authorize the State UI [Unemployment Insurance] agency (or other agency that has access to State UI wage records) to be its representative for the purpose of evaluating whether local vocational and adult education programs have achieved the student employment goals..." In a January 30, 2003 memorandum, the Department of Education reevaluated this authorization in light of the full text of the statutory language of FERPA and congressional statements. The Department of Education concluded "that for the purposes of FERPA, an 'authorized representative' of a state educational authority must be under the direct control of that authority."
- POLICY:** Since the latest memorandum allows a State educational authority to disclose student social security numbers to a State UI agency (or other agency that has access to State UI wage records) for the purpose of determining employment status if the eligible students in question have provided consent for the disclosure, the attached WIA Title I Client Release of Information has been prepared to meet this purpose. Local Areas (by either incorporating the language from the attached form or by directly using the attached form) must gain a signed client release of information from every participant enrolled in training at a postsecondary institution as of May 1, 2003 and thereafter.

WIA Title I Client Release of Information

To: _____
(name of educational institution)

(street address)

(city, state and ZIP code)

From: _____

(name of WIA Title I training recipient)

(social security number)

(street address)

(city, state and ZIP code)

The above named educational institution is hereby authorized pursuant to the Family Educational Rights and Privacy Act (FERPA):

1. To release my social security number to a state unemployment insurance agency or other agency that has access to state unemployment insurance wage records for the purpose of determining my employment status for the purposes of monitoring performance standards under the Workforce Investment Act of 1998 (Public Law 105-220).

2. To release information concerning my level of educational attainment at the above referenced educational institution to a state entity monitoring performance standards under the Workforce Investment Act of 1998 (Public Law 105-220).

This release of information is voluntarily given in accordance with the Family Educational Rights and Privacy Act (FERPA) and information provided thereunder may only be used for the purposes described in paragraphs 1 and 2 above. This release shall continue in full force and effect until revoked by me in writing. A photocopy of this release shall be as effective as an original.

_____	_____	_____
(signature of WIA Title I training recipient)	(printed name)	(date)

_____	_____	_____
(witness signature)	(printed name)	(date)