

Legal Disclosures Crosswalk

This document was used to ensure that the appropriate disclosures were consistently referenced across legal agreements related to the state data system.

FERPA Disclosure (statute) ¹ in 34 CFR Part 99	Legal Agreement 1	Legal Agreement 2	Explanatory Notes
<p>Federal or State Program Purposes (audit/evaluation)</p> <p>§99.35(a)(1)</p> <p>Written agreements must designate any authorized representative, other than an employee. The written agreement must also:</p> <ul style="list-style-type: none"> • Designate the individual/entity as an authorized representative; • Specify the personally identifiable information (PII) from education records to be disclosed; 	<p>Section 2(C)</p> <p>Section 2(B)</p>	<p>Section 1.3</p> <p>Section 1.4</p>	

¹ https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=34:1.1.1.1.33#se34.1.99_135

<ul style="list-style-type: none"> Specify the purpose for which the PII from education records is disclosed to the authorized rep to carry out an audit or evaluation of Federal- or State-supported education programs, or to enforce or comply with Federal legal requirements that relate to those programs; Description of the activity with sufficient specificity to make clear that the work falls within the exception of §99.31 (a)(3), including a description of how the PII from education records will be used; Requires the authorized representative to destroy the PII from education records when the information is no longer needed for the purpose specified; Specify the time period in which the information must be destroyed; 	<p>Section 2(A)</p> <p>Section 2(B)</p> <p>Section 4(A)</p> <p>Section 4(A)</p> <p>Section 4(C)</p>	<p>Section 1.3</p> <p>Section 1.5 Section 2</p> <p>Section 2.4</p> <p>Section 2.4</p> <p>Section 3.6</p>	
--	---	--	--

<ul style="list-style-type: none"> Establish policies and procedures to protect PII from further disclosure (except back to the disclosing entity) and unauthorized use; <p>(Authority: 20 U.S.C. 1232g(b)(1)(C), (b)(3), and (b)(5))</p> <p>§99.35(a)(3)</p>			
<p>FERPA Disclosure (statute)² in 34 CFR Part 99</p>	<p>FERPA Addendum</p>	<p>IDEA/BUCP Citation</p>	<p>Explanatory Notes</p>
<p>Research Studies: Organizations conducting studies for or on behalf of educational agencies/institutions to:</p> <ul style="list-style-type: none"> a) Develop, validate, or administer predictive tests b) Administer student aid programs c) Improve instruction 	<p>Section 3(B)(i)</p> <p>Section 3(B)(ii)</p> <p>Section 3(B)(ii)</p>		

² <https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=34:1.1.1.1.33#se34.1.99> 135

<p>§99.31(a)(6)(i)</p> <p>Requires a written agreement with the organization that:</p> <ul style="list-style-type: none"> • Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; • Requires the organization to use PII from education records only to meet the purpose or purposes of the study as stated in the written agreement; • Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students, by anyone other than representatives of the organization with legitimate interests; • Requires the organization to destroy all PII when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which 	<p>Section 3(D)</p> <p>Section 3(C)</p> <p>Section 3(C)</p> <p>Section 4(A)</p>	<p>Section 1.3 Section 1.4 Section 1.5</p> <p>Section 1.3</p> <p>Section 3.10</p> <p>Section 2.4</p>	
---	---	--	--

<p>the information must be destroyed.</p> <p>Organization: Includes, but not limited to Federal, State and local agencies, and independent organizations.</p>			
---	--	--	--