



## FERPA EXPLAINED FOR

### THE NITA M. LOWEY 21<sup>st</sup> CENTURY COMMUNITY LEARNING CENTERS PROGRAM

The Nita Lowey 21<sup>st</sup> Century Community Learning Centers is a federal TITLE program (TITLE IV B) and districts or community groups apply for grant funding to operate an afterschool and/or summer program for at-risk children. As a federal program, we must follow all federal statutes and guidelines, which include The Federal Educational Rights and Privacy Act, the protects the privacy of student records.

#### What is the Family Educational Rights and Privacy Act (FERPA)?

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, is a Federal privacy law administered by the Family Policy Compliance Office (FPCO or Office) in the U.S. Department of Education. FERPA and its implementing regulations in 34 CFR part 99 protect the privacy of students' education records.

Source- [https://www2.ed.gov/policy/gen/guid/fpco/pdf/reasonablemtd\\_agreement.pdf](https://www2.ed.gov/policy/gen/guid/fpco/pdf/reasonablemtd_agreement.pdf)

To Comply with FERPA and other Federal Requirements, the Superintendent and building Principal MUST sign an assurance written agreement that includes providing the data we need to report for this federal program (21<sup>st</sup> Century Community Learning Centers -TITLE IV B).

**Certification:** As the designated local education agency representative, I agree to fulfill all of the above agreements and conditions. In addition, I certify that the local education agency (school and district) agrees to collect and share with program partner agencies additional education achievement data, attendance and other requested data that will be necessary for the evaluation of the 21st Century Community Learning Centers Program, as may be required by the Iowa Department of Education.

Signature of Local Education Agency Superintendent	Local Education Agency Name
<p><i>Affidavit: By signing this, I certify to the best of my knowledge and belief that the application is true, complete, and accurate, and the expenditures are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812</i></p>	
Signature of Site Principal for Each 21 <sup>st</sup> Century Community Learning Centers-Funded Site	Site Name



Our federal Title program by agreement (above) and provision in FERPA statute and other federal statutes has legitimate access to student identifiable academic data for federal reporting, audits and evaluation.

FERPA 99.35 provides the following:

(B) That the purpose for which the personally identifiable information from education records is disclosed to the authorized representative is **to carry out an audit or evaluation of Federal- or State-supported education programs**, or to enforce or to comply with Federal legal requirements that relate to those programs;

Source: <https://studentprivacy.ed.gov/node/548/>

**Because we are diligent with protecting student privacy, we ask that the district data person or principal be the person who actually sees the student identifiable data. For our reporting, we only need aggregated program data for both federal reporting and evaluation.**

**WE NEED ONLY AGGREGATED DATA FOR OUR REPORTS- WE DO NOT REQUIRE ANY STUDENT IDENTIFIABLE RESULTS.**

**Starting in 2022, the data we report to the US Dept. of Education for this program will change.** We must begin collecting this data in the summer of 2021 and the Fall of 2021 because we report about the previous school year, not the current school year.

Below is the data of the new data we have to collect for our program.

The program can supply the district with a list of student names who are participants and we will need the following data:

**GPRA Measure 1- Percentage of Students in grades 4-8** participating in the 21<sup>st</sup> CCLC program (school year and or summer) who demonstrated growth in Reading and English (Language Arts) on state assessments.

**GPRA Measure 2-Percentage of students in grades 7-8 and 10-12** who attended the 21<sup>st</sup> CCLC program (school year and or summer) with a prior year unweighted GPA of less than 3.0 (grade of B) who demonstrated an improved GPA.

**GPRA Measure 3- Percentage of students in grades 1-12** who attended the 21<sup>st</sup> CCLC program (school year only) who had a school day



attendance rate of at or below 90% in the prior school year and who demonstrated an improved attendance rate in the current school year.

**GPRA Measure 4- Percentage of students in grades 1-12** who attended the 21<sup>st</sup> CCLC program (school year and or summer) and who experienced a decrease in in-school suspensions compared to the previous year.

**GPRA Measure 5- Percentage of students in grades 1-5** who participated in the 21<sup>st</sup> CCLC program (school year and or summer) who demonstrated an improvement in teacher (or program staff) reported engagement in learning. This measure can be addressed via a teacher(staff) survey. |

The **G**overnment **P**erformance and **R**esults **A**ct (**GPRA**) of 1993 requires federal agencies to prepare a strategic plan covering a multiyear period and requires each agency to submit an annual performance plan and an annual performance **report**.

The US Dept. of Education has an online data collection site (APR- Annual Performance Report) where all 50 states report this program data annually and the national aggregated data is provided every year to Congress.

Therefore, it is critical that we have the cooperation of all stakeholders to provide the required data for this federal TITLE program each year.

Additionally, other federal statutes require recipients of federal funds to provide the required information when requested.

**Edgar 200.336 (a)** The Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity (SEA), or any of their authorized representatives, **must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts.**

The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents

If you have any questions about the data requirements for the 21<sup>st</sup> CCLC program, please contact Vic Jaras, Consultant, Iowa Dept. of Education. [Vic.jaras@iowa.gov](mailto:Vic.jaras@iowa.gov)