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Laura Howard, Secretary

Laura Kelly, Governor

PPS 5255 Educational Letter to Schools

July 2021

MONTH DAY YEAR

Dear NAME/SCHOOL:

This will confirm that on January 14, 2013, an amendment to the Family Educational Rights and Privacy Act (FERPA) signed into law. This amendment was titled the "Uninterrupted Scholars Act" (USA). Pursuant to the amendment, FERPA since has lawfully permitted school districts to disclose, without parental consent, student education records to an agency case worker or other representative of Kansas Department for Children and Families (DCF), as the State IV-E child welfare agency, or tribal organization, that has the right to access the student's case plan when such Sate agency or tribal organization is "legally responsible" for the care and protection of the student for whom the information is sought. The education records, or the personally identifiable information contained in such records of the student, are prohibited from being further disclosed by the agency or tribe, except to an individual or entity engaged in addressing the student's education needs and authorized to receive such disclosure pursuant to applicable State or tribal laws.

FERPA, as amended by USA, also allows schools to release a student's education records to any person listed on a court order, such as DCF or a DCF grantee, Child Welfare Case Management Provider (CWCMP) staff, child's attorney, or court appointed special advocate (CASA). Pursuant to FERPA, as amended by USA, schools do not need to give notice to a parent prior to the release of education records when the parent is involved in a court proceeding involving child abuse and neglect or child in need of care petition, and thus effectively already on notice that the school records will be shared.

A request is hereby submitted for the education records of _____ {CHILD'S NAME AND DOB} Based on the above, allowing for release of educational records to an agency or agency's CWCMP providers in the absence of a release signed by the student's parents, this letter confirms that the above-named child is in the legal custody of the Secretary of DCF; _____ is the Case Worker/CWCMP on staff with _____, the DCF Case Management Grantee; said CWCMP has the right to access the student's case plan; and DCF is legally responsible for the care and protection of the student under court order/State law.

Thank you for your anticipated cooperation and attention to this request.

Sender Name, Title