

(DOL/ED LETTERHEAD)

MEMORANDUM FOR: STATE WORKFORCE DIRECTORS
STATE DIRECTORS OF HIGHER EDUCATION AGENCIES
STATE DIRECTORS OF COMMUNITY, JUNIOR AND
TECHNICAL COLLEGES
STATE DIRECTORS OF EMPLOYMENT SECURITY
AGENCIES

FROM: WILLIAM D. HANSEN, Deputy Secretary of Education
EMILY STOVER DEROCO, Assistant Secretary of the
Department of Labor for Employment and Training

SUBJECT: RESCISSION OF JANUARY 19, 2001 MEMORANDUM

DATE: January 30, 2003

On January 19, 2001, the U.S. Departments of Education and Labor jointly issued a Memorandum entitled "Application of FERPA to Reporting for Eligible Training Providers Under Title I of WIA." Subsequently, the Department of Education, which has responsibility for administering the Family Educational Rights and Privacy Act (FERPA), thoroughly reviewed the applicability of FERPA in this circumstance and has issued a revised memorandum (copy enclosed). As a result, the memorandum dated January 19, 2001, is rescinded. States are encouraged to refer to the enclosed guidance issued by the Department of Education in complying with FERPA.

States that, as a result of this rescission, are unable, or find it impractical, to devise eligible training provider performance reporting systems under title I of the Workforce Investment Act of 1998 (WIA) consistent with State and Federal law are encouraged to contact the U.S. Department of Labor (USDOL). In appropriate circumstances, USDOL will take the effects of this rescission into consideration when assessing a State's compliance with eligible training provider performance reporting requirements under title I of WIA.

[Enclosure](#)