

[Sample NSLA/FERPA Consent Form for the Emergency Broadband Benefit Program]

[School/District Letterhead]

**Disclosure of Information Protected by the National School Lunch Act (NSLA) and the Family Educational Rights and Privacy Act (FERPA) by \_\_\_\_\_ [(1) Insert school or school district name]\_\_\_\_\_ to \_\_\_\_\_ [(2) Insert name of participating provider(s)]\_\_\_\_\_, the Federal Communications Commission (FCC), and the Universal Service Administrative Company (USAC) to Verify Eligibility for the FCC’s Emergency Broadband Benefit Program**

In general, Federal law requires that a parent/guardian or “eligible student” (as defined under FERPA) provide written consent before a school or school district may disclose personally identifiable information from the education records of a student including personally identifiable information from the National School Lunch Program (NSLP) school meal application maintained by a school, school district, or a party acting on their behalf, to a third party.\*

**About the Emergency Broadband Benefit Program (EBB Program)**

The FCC’s EBB Program is a temporary federal program to help eligible households pay for internet service during the pandemic. Households with a child who is approved to receive free or reduced price meals under the NSLP or the School Breakfast Program (SBP), including children who attend schools participating in the U.S. Department of Agriculture’s Community Eligibility Provision (CEP), are eligible for the EBB Program. This includes any child who currently receives benefits during the 2020–2021 school year or did so in the 2019–2020 school year. USAC administers the EBB Program under the direction of the FCC. Visit [GetEmergencyBroadband.org](https://www.fcc.gov/etf/ebbp) for more information.

**Purpose of this form**

Signing this form will allow your child’s, or your, school or school district to let a participating internet provider, the FCC, and USAC know if your child has, or you have, been approved to receive NSLP or SBP free or reduced price school meals and thus if your household is eligible for the EBB Program. **You do not have to sign this form**, but if you do not, the school or school district cannot disclose the listed information to a participating provider, the FCC, or USAC. You may still participate in the EBB Program by providing information directly to the participating provider, the FCC, or USAC. You can find more information about applying for the EBB Program at [GetEmergencyBroadband.org](https://www.fcc.gov/etf/ebbp).

I, \_\_\_\_\_ [Parent/Guardian and “Eligible Student” (as defined under FERPA) name(s)], agree to allow \_\_\_\_\_ [(3) Insert school or school district name]\_\_\_\_\_ to give or confirm my child’s, or my, free or reduced price eligibility status to \_\_\_\_\_ [(4) Insert name of participating provider(s)]\_\_\_\_\_, the FCC, and the USAC only to confirm if my household qualifies for the FCC’s EBB Program. I give permission for \_\_\_\_\_ [(5) Insert school or school district name]\_\_\_\_\_ to give only the following information regarding my child’s, or my, free or reduced price school meal eligibility status, as needed:

- **The student’s name;**
- **The student’s home address, and phone number or email address;**

- **If the student qualified for free or reduced price school meals** in the 2019–2020 school year, the 2020–2021 school year, or both – including free meals through the Community Eligibility Provision;
- **The name(s) of the program(s) that the student’s household participates in**, such as free or reduced price meals through the NSLP or SBP; and
- **The name(s) of the program(s) that the school participates in**, such as the Community Eligibility Program (CEP), which allows schools to serve meals free to all children who go to the school.

\_\_\_\_\_  
Signature of Parent or Guardian

\_\_\_\_\_  
Signature of Eligible Student (18 years or older), if needed

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\*The **Family Educational Rights and Privacy Act (FERPA)** (20 U.S.C. § 1232g; 34 CFR Part 99) requires written consent before an educational agency (e.g., school district) or institution (i.e., school) may disclose personally identifiable information from the education records of a student to a third party, unless an exception to FERPA’s general consent requirement applies. Private K-12 schools that do not receive federal funds from a program administered by the U.S. Department of Education are not subject to FERPA.

The **National School Lunch Act (NSLA)** has confidentiality and disclosure requirements (42 U.S.C.1758(b)(6); 7 CFR Part 245.6) that explain the restrictions on the disclosure and use of information obtained from an application for free or reduced price meal benefits, as well as the criminal penalties for improper release of information. The confidentiality of the information on the school meals application includes the free or reduced price eligibility status of the student and the household’s income information.

Under FERPA, an **eligible student** means a student who is 18 years of age or older or attends an institution of postsecondary education. In general, under FERPA, an eligible student would need to give written permission for a school or school district to disclose personally identifiable information from their education records. Under the NSLA’s confidentiality provisions, the parent or guardian of an eligible student must also give written permission for a school to give someone else information about the eligible student qualifying for free or reduced price school meals, if the eligible student qualified using the parent or guardian’s household and income information.

A parent, guardian, or eligible student may **revoke his or her or their written permission** for a school or school district to disclose personally identifiable information from education records at any time. A request to revoke permission should be in writing, signed, and sent separately to \_\_\_\_\_ **[(6) Insert point of contact at school or school district]**\_\_\_\_\_.

## Instructions for Schools and School Districts

### A-1. When might our school or school district need to use this form?

The template consent form is for schools and school districts that choose to facilitate the Emergency Broadband Benefit (EBB) Program sign up process for students and their families who are eligible to participate in the EBB Program. Alternatively, students and families who are eligible to participate in the EBB Program may choose to directly sign up for the EBB Program through their preferred participating provider or through the Lifeline National Eligibility Verifier (National Verifier) application process, which is administered by the Universal Service Administrative Company (USAC). Visit [GetEmergencyBroadband.org](https://www.getemergencybroadband.org) for more information.

It is possible for a school or school district to verify the eligibility of students and their families for the EBB Program; however, there are several important considerations:

1. **Protecting student privacy.** In accordance with student privacy requirements under the Family Educational Rights and Privacy Act (FERPA) and the National School Lunch Program (NSLP), a school or school district that initiates sign up for students who are eligible to participate in the EBB Program must obtain written consent to share student participation in the NSLP or the School Breakfast Program with a participating provider, the Federal Communications Commission (FCC), and the USAC.
2. **Working with participating providers.** To verify eligibility, schools would need to work directly with the participating provider or providers in their area, and those providers may need to seek additional authorization from the FCC to operate their own verification process with the school's information. Schools interested in facilitating the EBB Program sign up process should check with their local providers to confirm that the providers have the ability to operate this type of verification process.

### A-2. Instructions for adapting the template consent form

- A. Fill in the numbered and highlighted blanks in the template consent form above:
1. Insert the name of the school or school district that is distributing this form.
  2. List the name(s) of participating provider(s) with whom you are working directly.

*School Tip: Use USAC's [Companies Near Me](#) tool to confirm the participating provider(s) offering service in your area. Some participating providers may not have coverage in all parts of your community, so it is important to check with the provider(s) listed for your area zip code(s) to confirm they offer service to a particular address.*

3. Insert the name of the school or school district that is distributing this form.
4. List the name(s) of participating provider(s) with whom you are working directly.
5. Insert the name of the school or school district that is distributing this form.

6. List a point of contact at your school or school district that the parent or guardian can contact to revoke permission.

B. Put the adapted consent form on school or school district letterhead.