

## RÉSUMÉ DIGEST

**HB 568**

**2017 Regular Session**

**Nancy Landry**

Existing law generally prohibits an official or employee of a public school system from providing personally identifiable student information to any person or public or private entity.

Existing law provides certain exceptions to this general prohibition. Authorizes providing information, for specified purposes, to the state Dept. of Education (DOE) if sufficient personally identifiable information is removed so that the information provided cannot be used to identify a student. Existing law prohibits DOE officials and employees from sharing such information with a person or entity outside of La. for purposes other than academic analysis of assessments.

Existing law provides that most violations of existing law are punishable by criminal penalties of imprisonment for not more than six months or by a fine of not more than \$10,000.

Proposed law would have provided another exception to the prohibition on DOE officials and employees sharing information with persons and entities outside of La.; specifically, would have authorized sharing information with a person who was an employee of and conducting research at an accredited postsecondary education institution if the person and DOE entered a memorandum of understanding in which the person agreed to be civilly liable for the fine provided for by existing law for any violation of existing law.

(Proposed to amend R.S. 17:3914(C)(2)(b))

### VETO MESSAGE:

Please be advised that I have vetoed House Bill 568 of the 2017 Regular Session. House Bill 568 provides for the sharing of student information between the Louisiana Department of Education (LDOE) and persons conducting academic research at a postsecondary education institution accredited by a regional or national accrediting organization recognized by the United States Department of Education. The legislation requires LDOE to enter into a memorandum of understanding in which the person conducting such academic research agrees to be civilly liable for any fine imposed as a violation of authorized uses of the student information. Under current law, a person who violates authorized uses of the student information is subject to both criminal and civil penalties. House Bill 568 references civil penalties only relative to the memorandum of understanding. However, it does not create an exception to the criminal liability provisions in current law. Because of these drafting concerns, I have vetoed House Bill 568.