

2021 Regular Session

HOUSE BILL NO. 322

BY REPRESENTATIVE FREEMAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENTS: Provides for the sharing of limited student information for the purpose of administering certain federal food assistance programs

1 AN ACT

2 To amend and reenact R.S. 17:3914(M), relative to student information; to provide for the
3 continued effectiveness of provisions that require school governing authorities to
4 share certain student information with the Department of Children and Family
5 Services for the purpose of facilitating the administration of the pandemic electronic
6 benefits transfer program and that provide exceptions; to provide for the sharing of
7 such information for the additional purpose of facilitating the administration of the
8 summer electronic benefits transfer program; to provide for an effective date; and to
9 provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:3914(M) is hereby amended and reenacted to read as follows:

12 §3914. Student information; privacy; legislative intent; definitions; prohibitions;
13 parental access; penalties

14 * * *

15 M.(1) Notwithstanding any provision of law to the contrary and except as
16 provided in Paragraph (2) of this Subsection, the governing authority of each public
17 or nonpublic school or other entity that participates in a meal program through which
18 students are eligible for the pandemic electronic benefits transfer program or summer
19 electronic benefits transfer program shall share student information with the
20 Department of Children and Family Services for the purpose of facilitating program

1 administration, including but not limited to the automatic issuance of benefits to
2 eligible families. Such information shall be limited to the first name, last name,
3 address, and date of birth of each student eligible for free or reduced price meals at
4 school.

5 (2) Such a governing authority shall not share a student's information if his
6 parent or legal guardian has chosen not to share information pursuant to the policy
7 of the governing authority.

8 Section 2. This Act shall become effective on June 10, 2021.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 322 Original

2021 Regular Session

Freeman

Abstract: Provides for the sharing of limited student information for the purpose of administering the federal pandemic electronic benefits transfer program and summer electronic benefits transfer program.

Present law prohibits any employee of a public school system from providing a student's personally identifiable information to any person or public or private entity. Provides exceptions to this prohibition and authorizes sharing student information under certain circumstances. Present law also provides the following:

- (1) Requires each public or nonpublic school or other entity that participates in a meal program through which students are eligible for the pandemic electronic benefits transfer program to share student information with the Dept. of Children and Family Services for the purpose of facilitating program administration, including but not limited to the automatic issuance of benefits to eligible families. Limits such information to first and last name, address, and date of birth of each student eligible for free or reduced price meals at school.
- (2) Excepts any student whose parent has chosen not to share information pursuant to the policy of the governing authority of the school or other entity.

The effectiveness of the present law provisions enumerated in (1) and (2) above terminates on June 10, 2021. Proposed law provides for the continued effectiveness of such present law and adds that such information shall also be shared for purposes of administering the summer electronic benefits transfer program, subject to the same limitations and exceptions.

Effective June 10, 2021.

(Amends R.S. 17:3914(M))