
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Mary Dozier O'Brien.

DIGEST

LaFleur (SB 536)

Proposed law enacts the Student Data Accessibility, Transparency, and Accountability Act.

Proposed law provides for legislative findings relating to the availability of student data while maintaining some privacy for the individual student.

Proposed law seeks to provide transparency and accessibility while ensuring compliance with all privacy laws and regulations.

Proposed law provides definitions relative to the collecting and retention of student data. The following terms are defined:

- (1) Board (BESE).
- (2) Department.
- (3) Dataset.
- (4) Data System.
- (5) Aggregate data.
- (6) Redacted data or de-identified data.
- (7) Provisional student data.
- (8) State-assigned student identifier or student testing number.
- (9) Student data.

Proposed law provides for responsibilities of the board including the following:

- (1) Create, publish and make publicly available a data inventory and index of student data fields.
- (2) Develop and publish policies that comply with the Federal Family Educational Rights and Privacy Act (FERPA).
- (3) Allow for transfer of identifiable student data in certain situations.

- (4) Develop a detailed data security plan.
- (5) Ensure compliance by the department with FERPA.
- (6) Ensure that any and all contracts abide by the privacy concerns referenced in proposed law.
- (7) Report annually to the governor and the legislature regarding student data and its availability, while addressing privacy concerns.
- (8) Adopt rules in accordance with the APA to comply with the Act.

Effective August 1, 2014.

(Adds R.S. 17:188.1-188.3)