

Regular Session, 2014

HOUSE BILL NO. 1283 (Substitute for House Bill No. 560 by Representative Ivey)

BY REPRESENTATIVE IVEY

STUDENTS: Provides relative to transfers of student information by education agencies and the state Department of Education

1 AN ACT

2 To enact R.S. 17:3913, relative to the transfer of personal student information by local  
3 education agencies and the state Department of Education; to require that  
4 information regarding such transfers be made available on the Internet; to provide  
5 for deadlines; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3913 is hereby enacted to read as follows:

8 §3913. Transfer of personally identifiable student information

9 A.(1) The legislature finds that in order for public schools to function in the  
10 modern world, substantial amounts of information about students, much of it private  
11 and sensitive information, must be transferred between various entities that work  
12 collaboratively to provide the best education possible for Louisiana's students.  
13 Parents and citizens are increasingly concerned about the commercial and criminal  
14 uses of student information. It is therefore the intent of this Section, not to restrict  
15 the transfer of necessary or essential personally identifiable student information  
16 between entities, but to ensure that parents and citizens generally have an accurate  
17 picture of those transfers. The legislature finds that, if they are armed with accurate  
18 information, parents and citizens will be in a better position to judge the validity and  
19 safety of various transfers and to bring focused pressure to bear on policy makers  
20 when they have concerns.

1           (2) The purpose of this Section is to increase awareness of the transfer of  
2           student information by requiring the State Department of Education and local  
3           education agencies to publicize such information on their Internet websites.

4           B. By not later than January 1, 2015, the State Department of Education shall  
5           make available on its website information about the transfer of personally  
6           identifiable student information. Such information shall include but need not be  
7           limited to all of the following:

8                   (1) A profile of each authorized recipient of such information.

9                   (2) A copy of the signed agreement between the department and the  
10           authorized recipient.

11                   (3) A complete listing of all of the data elements authorized to be transferred.

12                   (4) A statement of the intended use of the information, including references  
13           to legal authority or legal requirements associated with the transfer of such  
14           information.

15                   (5) The name and contact information of the individual serving as the  
16           primary point of contact for inquiries about the agreement.

17                   (6) A process by which parents of students attending public schools may  
18           register a complaint related to the unauthorized transfer of personally identifiable  
19           student information.

20           C. By not later than January 1, 2015, each local education agency that has  
21           a website shall make available on its website information about the transfer of  
22           personally identifiable student information. Such information shall include but need  
23           not be limited to all of the following:

24                   (1) A profile of each authorized recipient of such information.

25                   (2) A copy of the signed agreement between the local education agency and  
26           the authorized recipient.

27                   (3) A complete listing of all of the data elements authorized to be transferred.

1           (4) A statement of the intended use of the information, including references  
2           to legal authority or legal requirements associated with the transfer of such  
3           information.

4           (5) The name and contact information of the individual serving as the  
5           primary point of contact for inquiries about the agreement.

6           (6) A process by which parents of students attending public schools may  
7           register a complaint related to the unauthorized transfer of personally identifiable  
8           student information.

9           D. The information specified in Paragraphs (B)(1) through (5) and (C)(1)  
10          through (5) of this Section shall be made available on the respective website no later  
11          than ten business days following the execution of an agreement providing for a  
12          transfer of personally identifiable student information and shall remain available for  
13          the duration of the agreement.

#### 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)]

Ivey

HB No. 1283

**Abstract:** Requires that certain information regarding transfers of personally identifiable student information be made available on the Internet by the Dept. of Education and local education agencies.

Proposed law requires the state Dept. of Education and each local education agency that has a website to post the following information regarding agreements providing for the transfer of personally identifiable student information:

- (1) A profile of each authorized recipient of such information.
- (2) A copy of the signed agreement between the department or local education agency and the authorized recipient.
- (3) A complete listing of all of the data elements authorized to be transferred.
- (4) A statement of the intended use of the information, including references to legal authority or legal requirements associated with the transfer of such information.
- (5) The name and contact information of the individual serving as the primary point of contact for inquiries about the agreement.

Proposed law requires that such information be made available on the respective website no later than 10 business days following the execution of an agreement providing for a transfer

of personally identifiable student information and remain available for the duration of the agreement. Further requires that the websites contain information on a process by which parents of students attending public schools may register a complaint related to the unauthorized transfer of personally identifiable student information.

(Adds R.S. 17:3913)