SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1076 by Representative Schroder

1   AMENDMENT NO. 1

2   On page 1, line 17, between "individual" and "including" insert "that can be used on its own
3   or with other information to identify, contact, or locate a single individual,"

4   AMENDMENT NO. 2

5   On page 2, line 2, between "such as" and "name" insert "full"

6   AMENDMENT NO. 3

7   On page 2, line 8, between "statistics" and "that relate" insert "and other information"

8   AMENDMENT NO. 4

9   On page 2, at the beginning of line 10, change "properties" to "identities"

10   AMENDMENT NO. 5

11   On page 3, line 5, between "provide" and "student" insert "personally identifiable"

12   AMENDMENT NO. 6

13   On page 3, line 7, between "may" and the colon ":" insert ", in accordance with State Board
14   of Elementary and Secondary Education regulation or applicable state and federal law"

15   AMENDMENT NO. 7

16   On page 3, line 13, after "monitoring," delete the remainder of the line, and at the beginning
17   of line 14, delete "district", and insert "program administration, and state"

18   AMENDMENT NO. 8

19   On page 3, line 18, between "Education" and "shall" insert "or a city, parish, or other local
20   public school system"

21   AMENDMENT NO. 9

22   On page 3, line 19, "of" and "assessments" delete "scoring" and insert "academic analysis
23   of"

24   AMENDMENT NO. 10

25   On page 3, line 23, between "student" and the period "." insert ", or by a student who has
26   reached the age of legal majority, or if the information is provided to a person authorized by
27   the state, including the legislative auditor, to audit processes including student enrollment
28   counts"

29   AMENDMENT NO. 11

30   On page 3, line 24, between "who" and "fails" insert "knowingly and willingly"

1   AMENDMENT NO. 12

2   On page 4, line 17, between "guardian" and "may" insert ", or a student who has reached the
3   age of legal majority,"

4   AMENDMENT NO. 13

5   On page 4, line 25, between "system" and the period "." insert "or to provide services that
6   the school system would otherwise provide"

7   AMENDMENT NO. 14

8   On page 4, between lines 25 and 26, insert the following:

9   "(f) A person authorized by the state to audit student records."

10   AMENDMENT NO. 15

11   On page 5, line 4, between "system" and the period "." insert "or to provide services that the
12   school system would otherwise provide"

13   AMENDMENT NO. 16

14   On page 5, between lines 4 and 5, insert the following:

15   "(d) A person authorized by the state to audit student records."

16   AMENDMENT NO. 17

17   On page 5, delete lines 10 through 14, and insert the following:

18   "E.(1) No person who has access to student information shall convert the
19   student information as specified in Subparagraph (C)(2)(b) of this Section such that
20   the remaining information can be used to identify a student.
21   (2) The State Board of Elementary and Secondary Education and the state
22   Department of Education shall not require a city, parish, or other local public school
23   system to limit a student's learning opportunity or opportunities to explore any
24   occupation based upon predictive modeling."

25   AMENDMENT NO. 18

26   On page 5, line 16, between "student" and "services" insert "and other education"

27   AMENDMENT NO. 19

28   On page 6, line 6, after "contract" delete the period "." insert "", unless otherwise directed
29   by an applicable legal requirement or otherwise specified in the contract and subject to the
30   privacy protection provisions of this Part. Upon termination of the contract, all information
31   removed from the contractor's servers shall be returned to the city, parish, or other local
32   public school board."

33   AMENDMENT NO. 20

34   On page 6, line 7, between "who" and "violates" insert "knowingly and willingly"

35   AMENDMENT NO. 21

36   On page 6, between lines 15 and 16, insert the following:

1   "I.   The provisions of this Part shall apply to each charter school, its
2   governing authority, and any education management organization under contract to
3   operate a charter school.

4   J.(1) No school, school system, local or state governmental agency, public
5   or private entity, or any person with access to student information shall sell, transfer,
6   share, or process any student data for use in commercial advertising, or marketing,
7   or any other commercial purpose.
8   (2) The provisions of Paragraph (1) of this Subsection shall not apply to a
9   student's parent or legal guardian, or a student who has reached the legal age of
10   majority.

11   K.(1)Notwithstanding any provision of this Part to the contrary, the
12   governing authority of each public school, with the permission of a student's parent
13   or legal guardian, shall collect the following personally identifiable information for
14   each student enrolled in grades eight through twelve:
15   (a) Full name.
16   (b) Date of birth.
17   (c) Social security number.
18   (d) Student transcript data.

19   (2) The governing authority of a public school shall disclose the information
20   collected pursuant to Paragraph (1) of this Subsection, upon request, only to a
21   Louisiana postsecondary educational institution, to be used solely for the purpose of
22   processing applications for admission, and to the Office of Student Financial
23   Assistance, to be used solely for the purpose of processing applications made to the
24   office for state and federal financial aid and for required financial aid program
25   reporting.

26   (3)(a) Beginning in the eighth grade, the governing authority of each public
27   school shall annually, at the beginning of each school year, provide a form to be
28   signed by the parent or legal guardian of each student enrolled in the school,
29   whereby the student's parent or legal guardian may provide consent or deny consent
30   for the collection and disclosure of the student's information as provided in
31   Paragraphs (1) and (2) of this Subsection.
32   (b) No data shall be collected pursuant to this Subsection, unless a student's
33   parent or legal guardian provides written consent.
34   (c) The form will contain a statement whereby a student's parent or legal
35   guardian acknowledges that failure to provide written consent for the collection and
36   disclosure of the student's information as provided in this Subsection may result in
37   delays or may prevent successful application for admission to a postsecondary
38   educational institution and for state and federal student financial aid.

39   (4) The governing authority of each public school shall destroy all data
40   collected for purposes of this Subsection not later than three years after the student
41   graduates from high school."