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## DIGEST

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HB 270 Original

2018 Regular Session

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**Abstract:** Exempts from the Public Records Law personally identifiable information of persons who report a violation of a student code of conduct or other policy intended for the safety of students or employees of postsecondary education institutions, reported witnesses of such violations, and under certain circumstances, the reported victim.

Present law (R.S. 44:1 et seq. – Public Records Law) provides that all books, records, writings, accounts, letters and letter books, maps, drawings, photographs, cards, tapes, recordings, memoranda, and papers, and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment, having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business, transaction, work, duty, or function which was conducted, transacted, or performed by or under the authority of the constitution or laws of the state, or by or under the authority of any ordinance, regulation, mandate, or order of any public body or concerning the receipt or payment of any money received or paid by or under the authority of the constitution or the laws of the state are "public records". Present law establishes a framework for the ready availability of public records to requesting persons and specifically provides that it is the duty of the custodian of the public records of a public entity or agency to provide copies to persons so requesting. Provides for certain exceptions, exemptions, and limitations.

Proposed law provides an exception for certain personally identifiable information in the custody or control of a postsecondary education institution or management board received in accordance with adopted, written policies applicable to the institution and the students and employees of the institution, unless access to the information is specifically required by other provisions of law of this state or by federal law or is ordered by a court under rules of discovery. Specifically exempts the personally identifiable information of any person who reports a violation of a student code of conduct or other policy intended for the safety of students or employees of a postsecondary education institution, personally identifiable information of any reported witness, and, if the reported violation involves violence or abuse, personally identifiable information of any person who may be the victim of the violence or abuse.

(Adds R.S. 44:4(55))