HLS 20RS-1112 ORIGINAL

2020 Regular Session

HOUSE BILL NO. 740

1

BY REPRESENTATIVE WRIGHT

COLLEGES/UNIVERSITIES: Prohibits public postsecondary education institutions from disclosing certain student information

AN ACT

2 To amend and reenact R.S. 44:4.1(B)(9) and to enact R.S. 17:3137, relative to public 3 postsecondary education institutions; to prohibit postsecondary education institutions 4 from disclosing certain information relative to students and their parents and legal 5 guardians; to provide for exceptions; and to provide for related matters. 6 Be it enacted by the Legislature of Louisiana: 7 Section 1. R.S. 17:3137 is hereby enacted to read as follows: 8 §3137. Student information; prohibition on disclosure 9 A. Except as provided in Subsection B of this Section, no official or 10 employee of a public postsecondary education institution shall disclose to anyone for 11 any purpose the following information without the affirmative written consent of the 12 person to which the information pertains: 13 (1) The contact information or personally identifiable information for a student. If the student under the age of eighteen and not emancipated, such 14 15 information may be shared upon the affirmative written consent of his parent or legal 16 guardian. 17 (2) The contact information or personally identifiable information for the 18 parent or legal guardian of a student. 19 B. An official or employee of a public postsecondary education institution 20 may disclose such contact information and personally identifiable information:

CODING: Words in struck through type are deletions from existing law; words underscored are additions.

1	(1) To another official or employee of the institution who needs the
2	information to perform his official duties.
3	(2) In response to a subpoena, discovery request, or court order compelling
4	its production.
5	C. For the purposes of this Section:
6	(1) "Contact information" means a postal address, an electronic mail address,
7	and a telephone number.
8	(2) "Personally identifiable information" has the same meaning as in R.S.
9	<u>17:3914.</u>
10	(3) "Parent or legal guardian" has the same meaning as in R.S. 17:3914.
1	Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows:
12	§4.1. Exceptions
13	* * *
14	B. The legislature further recognizes that there exist exceptions, exemptions,
15	and limitations to the laws pertaining to public records throughout the revised
16	statutes and codes of this state. Therefore, the following exceptions, exemptions, and
17	limitations are hereby continued in effect by incorporation into this Chapter by
18	citation:
19	* * *
20	(9) R.S. 17:7.2, 46, 47, 81.9, 391.4, 407.28, 407.47, 407.65, 500.2, 1175,
21	1202, 1237, 1252, 1952, 1989.7, 2047, 2048.31, 3099, 3100.8, 3136, <u>3137,</u> 3390,
22	3773, 3884
23	* * *

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 740 Original

2020 Regular Session

Wright

Abstract: Prohibits public postsecondary education institutions from disclosing certain information pertaining to students and their parents.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Proposed law</u> prohibits an official or employee of a public postsecondary education institution from disclosing to anyone for any purpose the following information without the affirmative written consent of the person to which the information pertains:

- (1) The contact information or personally identifiable information for a student. If the student is under the age of eighteen and not emancipated, such information may be shared upon the affirmative written consent of his parent or legal guardian.
- (2) The contact information or personally identifiable information for the parent or legal guardian of a student.

<u>Proposed law</u> provides an exception to this prohibition by authorizing the disclosure of such information:

- (1) To another official or employee of the institution who needs the information to perform his official duties.
- (2) In response to a subpoena, discovery request, or court order compelling its production.

(Amends R.S. 44:4.1(B)(9); Adds R.S. 17:3137)