2020 Regular Session

HOUSE BILL NO. 740

BY REPRESENTATIVE WRIGHT

1	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; to prohibit all postsecondary education boards and
4	institutions from disclosing certain information relative to students and their parents
5	and legal 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 any public postsecondary education board or institution shall disclose
11	to anyone for any purpose the following information without the affirmative written
12	consent of the person to which the information pertains:
13	(1) The contact information or personally identifiable information for a
14	student as listed in student directory information pursuant to the Family Educational
15	Rights and Privacy Act. If the student is under the age of eighteen and not
16	emancipated, such information may be shared upon the affirmative written consent
17	of his parent or legal guardian.
18	(2) The contact information or personally identifiable information for the
19	parent or legal guardian of a student.
20	B. An official or employee of any public postsecondary education board or
21	institution may disclose such contact information and personally identifiable
22	information:
23	(1) To an official or employee of any public postsecondary education board
24	or institution or public agency who needs the information to perform his official
25	duties.

1	(2) In response to a subpoena, discovery request, or court order compelling
2	its production.
3	C. For the purposes of this Section:
4	(1) "Contact information" means an electronic mail address or a telephone
5	number.
6	(2) "Personally identifiable information" has the same meaning as in R.S.
7	<u>17:3914.</u>
8	(3) "Parent or legal guardian" has the same meaning as in R.S. 17:3914.
9	Section 2. R.S. 44:4.1(B)(9) is hereby amended and reenacted to read as follows:
10	§4.1. Exceptions
11	* * *
12	B. The legislature further recognizes that there exist exceptions, exemptions,
13	and limitations to the laws pertaining to public records throughout the revised
14	statutes and codes of this state. Therefore, the following exceptions, exemptions, and
15	limitations are hereby continued in effect by incorporation into this Chapter by
16	citation:
17	* * *
18	(9) R.S. 17:7.2, 46, 47, 81.9, 391.4, 407.28, 407.47, 407.65, 500.2, 1175,
19	1202, 1237, 1252, 1952, 1989.7, 2047, 2048.31, 3099, 3100.8, 3136, <u>3137,</u> 3390,
20	3773, 3884
21	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

Page 2 of 2

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