

ACT No. 321

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 17:3914.

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, 3137, 3390,
 20 3773, 3884

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____