

2020 Second Extraordinary Session

HOUSE BILL NO. 96

BY REPRESENTATIVES FREEMAN AND HILFERTY

STUDENTS: Provides relative to sharing of student information for the purpose of administering the pandemic electronic benefits transfer (P-EBT) program (Item #28)

1 AN ACT

2 To enact R.S. 17:3914(M), relative to student information; to require schools, if requested
3 by a student's parent or legal guardian, to share student information with the state
4 Department of Education for the purpose of facilitating the administration of the
5 pandemic electronic benefits transfer program; to require the state Department of
6 Education to share this information with the Department of Children and Family
7 Services; to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:3914(M) is hereby enacted to read as follows:

10 §3914. Student information; privacy; legislative intent; definitions; prohibitions;
11 parental access; penalties

12 * * *

13 M. Notwithstanding any provision of law to the contrary, if requested by a
14 student's parent or legal guardian, each school or other entity that participates in a
15 meal program through which students are eligible for the pandemic electronic
16 benefits transfer program shall input such student's information into the state
17 Department of Education's secure student information system in order to facilitate
18 program administration, including but not limited to the automatic issuance of
19 benefits to the student's family. The state Department of Education shall securely
20 transmit the information to the Department of Children and Family Services. No

1 employee or official of the state Department of Education may access the
2 information provided pursuant to this Subsection.

3 Section 2. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

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 96 Engrossed

2020 Second Extraordinary Session

Freeman

Abstract: Requires schools, if requested by a student's parent, to share such student's information with the state Dept. of Education and for the department to share it with the Dept. of Children and Family Services for purposes of administering the pandemic electronic benefits transfer program.

Present law prohibits any employee of a public school system from providing a student's personally identifiable information to any person or public or private entity. Provides exceptions to this prohibition and authorizes sharing student information under certain circumstances. Proposed law requires, if requested by a student's parent or legal guardian, each school or other entity that participates in a meal program through which students are eligible for the pandemic electronic benefits transfer (known as P-EBT) program to input such student's information into the secure student information system administered by the state Dept. of Education (DOE) for the purpose of facilitating program administration, including but not limited to the automatic issuance of benefits to the student's family. Requires DOE to securely transmit the information to the Dept. of Children and Family Services and prohibits any DOE employee or official from accessing the information provided pursuant to proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3914(M))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Make requirement that schools share a student's information contingent upon the request of that student's parent.