

---

## 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)]

---

Cromer

HB No. 384

**Abstract:** Prohibits the collection of personally identifiable information on students; prohibits the transmittal or sharing of student information without parental consent; prohibits the administration of assessments, surveys, and other instruments that solicit certain student information; and provides penalties for violations.

Proposed law, relative to student information collected, prohibits local public school boards and schools, the state Dept. of Education, and the State Board of Elementary and Secondary Education (BESE) from transmitting or sharing such information with any person, entity, or agency without full disclosure and written consent from the student's parent or legal guardian. Requires BESE to promulgate rules to provide a process for such full disclosure and requires certain minimum components to be included in such rules.

Provides that student information collected by a local public school board or school, the state Dept. of Education, or BESE be limited to basic information and prohibits the collection of personally identifiable information. Defines "personally identifiable information" as two or more pieces of information that separately or when linked together can identify the person in a manner that is not known or readily available to the public, including but not limited to social security number, religious affiliation, student disability, and student hobbies or interests.

Provides that a violation of proposed law is punishable by imprisonment up to six months or by a fine of up to \$10,000.

Proposed law further prohibits the administration of any state assessment that includes the collection of any student psychological data as specified in proposed law. Prohibits the administration of any assessment, student survey, analysis, evaluation, or similar instrument that solicits information about a student or the student's family on certain matters as specified in proposed law. Prohibits local public school boards and schools, the state Dept. of Education, and BESE from transmitting or sharing with any assessment consortium of which the state is a member or any entity or agency with which the state contracts for the development or administration of any assessment any student information collected as part of the assessment unless certain conditions apply.

Provides monetary penalties for violations of proposed law (based on the number of offenses) of up to \$10,000.

(Adds R.S. 17:24.4(K) and 3913)

