

Regular Session, 2014

HOUSE BILL NO. 1283 (Substitute for House Bill No. 560 by Representative Ivey)

BY REPRESENTATIVE IVEY

STUDENTS: Provides relative to transfers of student information by education agencies and the state Department of Education

1 AN ACT

2 To enact R.S. 17:3913, relative to the transfer of personal student information by local
3 education agencies and the state Department of Education; to require that
4 information regarding such transfers be made available on the Internet; to provide
5 for deadlines; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3913 is hereby enacted to read as follows:

8 §3913. Transfer of personally identifiable student information

9 A.(1) The legislature finds that in order for public schools to function in the
10 modern world, substantial amounts of information about students, much of it private
11 and sensitive information, must be transferred between various entities that work
12 collaboratively to provide the best education possible for Louisiana's students.
13 Parents and citizens are increasingly concerned about the commercial and criminal
14 uses of student information. It is therefore the intent of this Section, not to restrict
15 the transfer of necessary or essential personally identifiable student information
16 between entities, but to ensure that parents and citizens generally have an accurate
17 picture of those transfers. The legislature finds that, if they are armed with accurate
18 information, parents and citizens will be in a better position to judge the validity and
19 safety of various transfers and to bring focused pressure to bear on policy makers
20 when they have concerns.

1 (2) The purpose of this Section is to increase awareness of the transfer of
2 student information by requiring the State Department of Education and local
3 education agencies to publicize such information on their Internet websites.

4 B. By not later than January 1, 2015, the State Department of Education shall
5 make available on its website information about the transfer of personally
6 identifiable student information. Such information shall include but need not be
7 limited to all of the following:

8 (1) A profile of each authorized recipient of such information.

9 (2) A copy of the signed agreement between the department and the
10 authorized recipient.

11 (3) A complete listing of all of the data elements authorized to be transferred.

12 (4) A statement of the intended use of the information, including references
13 to legal authority or legal requirements associated with the transfer of such
14 information.

15 (5) The name and contact information of the individual serving as the
16 primary point of contact for inquiries about the agreement.

17 (6) A process by which parents of students attending public schools may
18 register a complaint related to the unauthorized transfer of personally identifiable
19 student information.

20 C. By not later than January 1, 2015, each local education agency that has
21 a website shall make available on its website information about the transfer of
22 personally identifiable student information. Such information shall include but need
23 not be limited to all of the following:

24 (1) A profile of each authorized recipient of such information.

25 (2) A copy of the signed agreement between the local education agency and
26 the authorized recipient.

27 (3) A complete listing of all of the data elements authorized to be transferred.

1 (4) A statement of the intended use of the information, including references
2 to legal authority or legal requirements associated with the transfer of such
3 information.

4 (5) The name and contact information of the individual serving as the
5 primary point of contact for inquiries about the agreement.

6 (6) A process by which parents of students attending public schools may
7 register a complaint related to the unauthorized transfer of personally identifiable
8 student information.

9 D. The information specified in Paragraphs (B)(1) through (5) and (C)(1)
10 through (5) of this Section shall be made available on the respective website no later
11 than ten business days following the execution of an agreement providing for a
12 transfer of personally identifiable student information and shall remain available for
13 the duration of the agreement.

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)]

Ivey

HB No. 1283

Abstract: Requires that certain information regarding transfers of personally identifiable student information be made available on the Internet by the Dept. of Education and local education agencies.

Proposed law requires the state Dept. of Education and each local education agency that has a website to post the following information regarding agreements providing for the transfer of personally identifiable student information:

- (1) A profile of each authorized recipient of such information.
- (2) A copy of the signed agreement between the department or local education agency and the authorized recipient.
- (3) A complete listing of all of the data elements authorized to be transferred.
- (4) A statement of the intended use of the information, including references to legal authority or legal requirements associated with the transfer of such information.
- (5) The name and contact information of the individual serving as the primary point of contact for inquiries about the agreement.

Proposed law requires that such information be made available on the respective website no later than 10 business days following the execution of an agreement providing for a transfer

of personally identifiable student information and remain available for the duration of the agreement. Further requires that the websites contain information on a process by which parents of students attending public schools may register a complaint related to the unauthorized transfer of personally identifiable student information.

(Adds R.S. 17:3913)