

Regular Session, 2014

ACT No. 677

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

BY REPRESENTATIVE IVEY

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) Parents and citizens are increasingly concerned about the commercial
10 and criminal uses of student information. It is therefore the intent of this Section to
11 ensure that parents and citizens have an accurate picture of those transfers. The
12 legislature finds that, if they are provided accurate information, parents and citizens
13 will be in a better position to judge the validity and safety of various transfers and
14 to bring focused pressure to bear on policy makers when they have concerns.

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

18 B. By January 1, 2015, the state Department of Education shall make
19 available on its website information about the transfer of personally identifiable
20 student information. Such information shall include but need not be limited to all of
21 the following:

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

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

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

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

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

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

12 C. By January 1, 2015, each local education agency that has a website shall
13 make available on its website information about the transfer of personally
14 identifiable student information. Such information shall include but need not be
15 limited to all of the following:

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

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

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

20 (4) A statement of the intended use of the information, including references
21 to legal authority or legal requirements associated with the transfer of such
22 information.

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

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____