

2020 Regular Session

HOUSE BILL NO. 740

BY REPRESENTATIVE WRIGHT

COLLEGES/UNIVERSITIES: Prohibits public postsecondary education institutions from disclosing certain student information

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 institutions; to prohibit postsecondary education institutions
4 from disclosing certain information relative to students and their parents and legal
5 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 a public postsecondary education institution shall disclose to anyone for
11 any purpose the following information without the affirmative written consent of the
12 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.

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 740 Engrossed

2020 Regular Session

Wright

Abstract: Prohibits public postsecondary education institutions from disclosing certain information pertaining to students and their parents.

Proposed law prohibits an official or employee of a public postsecondary education institution from disclosing to anyone for any purpose the following information without the affirmative written consent of the person to which the information pertains:

- (1) The contact information or personally identifiable information for a student. If the student is under the age of 18 and not emancipated, such information may be shared upon the affirmative written consent of his parent or legal guardian.
- (2) The contact information or personally identifiable information for the parent or legal guardian of a student.

Proposed law provides an exception to this prohibition by authorizing the disclosure of such information:

- (1) To an employee or official of a public postsecondary education institution or public agency who needs the information to perform his official duties.
- (2) In response to a subpoena, discovery request, or court order compelling its production.

Proposed law defines "contact information" as an e-mail address or phone number and provides that "personally identifiable information" has the same definition as in present law relative to student data privacy.

(Amends R.S. 44:4.1(B)(9); Adds R.S. 17:3137)

Summary of Amendments Adopted by House

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

1. Broaden exception to the prohibition on sharing information to allow it to be shared with an employee of any public postsecondary education institution or public agency who needs it to perform official duties.
2. Remove postal address from definition of contact information.