

RÉSUMÉ DIGEST

Act 321 (HB 740)

2020 Regular Session

Wright

New law prohibits an official or employee of any public postsecondary education board or 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 18 and not emancipated, it may be shared upon the affirmative written consent of his parent or legal guardian.
- (2) The contact information or personally identifiable information for a student's parent or legal guardian.

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

- (1) To an employee or official of any public postsecondary education board or 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.

New law defines "contact information" as an e-mail address or phone number and provides that "personally identifiable information" has the same definition as in existing law relative to student data privacy: information about an individual that can be used on its own or with other information to identify, contact, or locate a single individual, including information that can be used to distinguish or trace an individual's identity, such as full name, social security number, date and place of birth, mother's maiden name, or biometric records, and other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.

Effective Aug. 1, 2020.

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