

2021 Regular Session

HOUSE BILL NO. 563

BY REPRESENTATIVE GAROFALO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENTS: Provides relative to the sharing of certain student data

1 AN ACT

2 To amend and reenact R.S. 17:3914(K)(1)(introductory paragraph), (2), and (3)(a), to enact
3 R.S. 17:3914(K)(1)(e) and (f), and to repeal R.S. 17:3914(C)(1)(h) and (j) and
4 (K)(3)(b) through (d), relative to the collection and sharing of student data and
5 information; to provide for the use of such information for specified purposes; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3914(K)(1)(introductory paragraph), (2), and (3)(a) are hereby
9 amended and reenacted and R.S. 17:3914(K)(1)(e) and (f) are hereby enacted to read as
10 follows:

11 §3914. Student information; privacy; legislative intent; definitions; prohibitions;
12 parental access; penalties

13 * * *

14 K.(1) Notwithstanding any provision of this Part to the contrary, the
15 governing authority of each public school, ~~with the permission of a student's parent~~
16 ~~or legal guardian,~~ shall annually collect the following personally identifiable
17 information for each student enrolled in grades ~~eight~~ prekindergarten through twelve:

18 * * *

19 (e) Family income.

20 (f) Race and ethnicity.

1 (2)(a) The governing authority of a public school shall disclose the
2 information collected pursuant to Paragraph (1) of this Subsection, upon request,
3 ~~only~~ to:

4 ~~(a)~~ (i) A Louisiana postsecondary education institution, to be used solely for
5 the purpose of processing applications for admission.

6 ~~(b)~~ (ii) The Office of Student Financial Assistance, to be used solely for the
7 purpose of processing applications made to the office for state and federal grants and
8 for required grant program reporting.

9 ~~(c)~~ (iii) The Board of Regents, to be used only by board staff for the
10 purposes of providing reports to each public school governing authority on the
11 postsecondary remediation needs, retention rates, and graduation rates for each high
12 school under its jurisdiction and to evaluate comparative postsecondary performance
13 outcomes based upon student transcript data in order to develop policies designed to
14 improve student academic achievement.

15 (b) Data collected pursuant to Paragraph (1) of this Subsection may be
16 disclosed to entities other than those identified in Subparagraph (a) of this Paragraph
17 if a student's parent or legal guardian provides written consent for such disclosure.

18 (3)(a) ~~The governing authority of each~~ Each public school shall, at the
19 beginning of each school year, ~~provide a form to be signed by~~ notify the parent or
20 legal guardian of each student in grades ~~eight~~ prekindergarten through twelve
21 enrolled in the school, whereby the student's parent or legal guardian may provide
22 consent or deny consent for the collection and disclosure of the student's information
23 as provided in Paragraphs (1) and (2) of this Subsection. exactly what items of
24 student information will be collected pursuant to this Subsection and that such
25 information will be disclosed to Louisiana postsecondary education institutions and
26 the Office of Student Financial Assistance, to be used solely for the purpose of
27 processing applications for admission and for state and federal financial aid, and to
28 the Board of Regents, to be used solely for the purposes of providing reports to the

1 school governing authority and developing policies designed to improve student
2 academic achievement.

3 * * *

4 Section 2. R.S. 17:3914(C)(1)(h) and (j) and (K)(3)(b) through (d) are hereby
5 repealed in their entirety.

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 563 Original

2021 Regular Session

Garofalo

Abstract: Provides relative to the sharing of students' personally identifiable information by public school governing authorities.

Present law prohibits an official or employee of a local public school system from requiring the collection of certain student information unless voluntarily disclosed by the parent or legal guardian. Further prohibits any employee of a public school system from providing a student's personally identifiable information to any person or public or private entity.

Present law defines personally identifiable information as information about an individual that can be used, on its own or with other information, to identify, contact, or locate a single individual.

Present law includes exceptions to the prohibitions. One exception is present law authorizes public school governing authorities, with parental permission, to collect certain personally identifiable information for students in grades eight through 12. Authorizes the sharing of such information with La. postsecondary education institutions, the La. Office of Student Financial Assistance, and the Bd. of Regents for specific purposes. The following personally identifiable information may be collected and shared in accordance with present law:

- (1) Full name.
- (2) Date of birth.
- (3) Social security number.
- (4) Student transcript data.

Proposed law modifies present law as follows:

- (1) Removes the requirement for parental permission to collect this information.
- (2) Replaces provisions for obtaining parental permission with provisions for notifying parents that such information will be collected and shared.
- (3) Provides for collection of the information for students in grades pre-kindergarten through 12 rather than grades eight through 12.
- (4) Adds family income and race and ethnicity to the information that may be collected and shared.

- (5) Adds authority to share the information with entities other than La. postsecondary education institutions, the La. Office of Student Financial Assistance, and the Bd. of Regents subject to parental permission.

(Amends R.S. 17:3914(K)(1)(intro. para.), (2), and (3)(a); Adds R.S. 17:3914(K)(1)(e) and (f); Repeals R.S. 17:3914(C)(1)(h) and (j) and (K)(3)(b) through (d))