

2021 Regular Session

HOUSE BILL NO. 322

BY REPRESENTATIVES FREEMAN, MCKNIGHT, AND PIERRE

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

STUDENTS: Provides for the sharing of limited student information for the purpose of administering certain federal food assistance programs and for certain postsecondary education purposes

1 AN ACT

2 To amend and reenact R.S. 17:3914(M) and to repeal R.S. 17:3914(M), relative to student
3 information; to provide for the continued effectiveness of provisions that require
4 school governing authorities to share certain student information with the
5 Department of Children and Family Services for the purpose of facilitating the
6 administration of the pandemic electronic benefits transfer program and that provide
7 exceptions; to authorize the sharing of additional information; to provide for the
8 sharing of such information for the additional purpose of facilitating the
9 administration of the summer electronic benefits transfer program; and to provide for
10 related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 17:3914(M) is hereby amended and reenacted to read as follows:

13 §3914. Student information; privacy; legislative intent; definitions; prohibitions;
14 parental access; penalties

15 * * *

16 M.(1) Notwithstanding any provision of law to the contrary and except as
17 provided in Paragraph (2) of this Subsection, the governing authority of each public
18 or nonpublic school or other entity that participates in a meal program through which
19 students are eligible for the pandemic electronic benefits transfer program or summer
20 electronic benefits transfer program shall share student information with the

1 Department of Children and Family Services for the purpose of facilitating program
 2 administration, including but not limited to the automatic issuance of benefits to
 3 eligible families. Such information shall be limited to the first name, middle name,
 4 last name, address, school site code, student unique identifier, and date of birth of
 5 each student eligible for free or reduced price meals at school.

6 (2) Such a governing authority shall not share a student's information if his
 7 parent or legal guardian has chosen not to share information pursuant to the policy
 8 of the governing authority.

9 Section 2. R.S. 17:3914(M) is hereby repealed in its entirety.

10 Section 3.(A) Section 1 and this Section of this Act shall become effective upon
 11 signature of this Act by the governor or, if not signed by the governor, upon expiration of
 12 the time for bills to become law without signature by the governor, as provided by Article
 13 III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and
 14 subsequently approved by the legislature, Section 1 and this Section of this Act shall become
 15 effective on the day following such approval.

16 (B) Section 2 of this Act shall become effective on December 31, 2022.

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 322 Reengrossed

2021 Regular Session

Freeman

Abstract: Provides for the sharing of limited student information for the purposes of administering federal food assistance programs.

Present law prohibits any employee of a public school system from providing a student's personally identifiable information (P.I.I.) to any person or public or private entity. Provides exceptions to this prohibition and authorizes sharing student information under certain circumstances, including for purposes of administering federal food assistance programs.

Present law requires each public or nonpublic school or other entity that participates in a meal program through which students are eligible for the pandemic electronic benefits transfer program to share student information with the Dept. of Children and Family Services for the purpose of facilitating program administration, including but not limited to the automatic issuance of benefits to eligible families. Limits such information to first and last name, address, and date of birth of each student eligible for free or reduced price meals at school. Excepts any student whose parent has chosen not to share information pursuant to the policy of the governing authority of the school or other entity.

The effectiveness of the present law provisions above terminates on June 10, 2021. Proposed law provides for the continued effectiveness of present law until December 31, 2022; adds a student's middle name, school site code, and student unique identifier to the list of information to be shared; and adds that information shall also be shared for purposes of administering the summer electronic benefits transfer program, subject to the same limitations and exceptions.

Effective upon signature of governor or lapse of time for gubernatorial action; Repeal of R.S. 17:3914(M) is effective December 31, 2022.

(Amends R.S. 17:3914(M); Repeals R.S. 17:3914(M))

Summary of Amendments Adopted by House

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

1. Relative to sharing student information for purposes of the food assistance programs:
 - (a) Authorize the sharing of additional student information.
 - (b) Add a "sunset" of Dec. 31, 2022.
2. Add provisions relative to sharing student information with certain entities for purposes related to postsecondary education.

The House Floor Amendments to the engrossed bill:

1. Remove provisions relative to sharing student information with certain entities for purposes related to postsecondary education.