

Regular Session, 2014

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

BY REPRESENTATIVE IVEY

STUDENTS: Provides relative to transfers of student information by education agencies and the state Department of Education

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 armed with accurate information, parents and  
13 citizens will be in a better position to judge the validity and safety of various  
14 transfers and to bring focused pressure to bear on policy makers when they have  
15 concerns.

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

19 B. By January 1, 2015, the state Department of Education shall make  
20 available on its website information about the transfer of personally identifiable

1        student information. Such information shall include but need not be limited to all of  
2        the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 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)]

Ivey

HB No. 1283

**Abstract:** Requires that certain information regarding transfers of personally identifiable student information be made available on the Internet by the Dept. of Education and local education agencies.

Proposed law requires the state Dept. of Education and each local education agency that has a website to post the following information regarding agreements providing for the transfer of personally identifiable student information:

- (1) A profile of each authorized recipient of such information.
- (2) A copy of the signed agreement between the department or local education agency and the authorized recipient.
- (3) A complete listing of all of the data elements authorized to be transferred.
- (4) A statement of the intended use of the information, including references to legal authority or legal requirements associated with the transfer of such information.
- (5) The name and contact information of the individual serving as the primary point of contact for inquiries about the agreement.

Proposed law requires that such information be made available on the respective website no later than 10 business days following the execution of an agreement providing for a transfer of personally identifiable student information and remain available for the duration of the agreement. Further requires that the websites contain information on a process by which parents of students attending public schools may register a complaint related to the unauthorized transfer of personally identifiable student information.

(Adds R.S. 17:3913)