HLS 18RS-1079 ORIGINAL

2018 Regular Session

HOUSE BILL NO. 716

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BY REPRESENTATIVE LEGER

STUDENTS: Provides relative to sharing of student information with certain postsecondary education institutions conducting academic research

AN ACT

2 To amend and reenact R.S. 17:3914(C)(2)(introductory paragraph) and (b), relative to 3 student information; to authorize the state Department of Education to share student 4 information with certain postsecondary education institutions including those located 5 out-of-state; to provide for the use of information for academic research; to provide 6 conditions; and to provide for related matters. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 17:3914(C)(2)(introductory paragraph) and (b) are hereby amended 9 and reenacted to read as follows: 10 §3914. Student information; privacy; legislative intent; definitions; prohibitions; 11 parental access; penalties 12 C. 13 14 15 (2) Beginning August 1, 2015, no No official or employee of a city, parish, 16 or other local public school system shall provide personally identifiable student 17 information to any member of the school board or to any other person or public or private entity, except such an official or employee may, in accordance with 18 19 applicable state and federal law: 20

Page 1 of 3

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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(b)(i) Provide to the state Department of Education, for the purpose of satisfying state and federal assessment, auditing, funding, monitoring, program administration, and state accountability requirements, information from which enough personally identifiable information has been removed such that the remaining information does not identify a student and there is no basis to believe that the information alone can be used to identify a student. No official or employee of the state Department of Education shall share such information with any person or public or private entity located outside of Louisiana, other than for purposes of academic analysis of assessments or for purposes of research as authorized in Item (ii) of this Subparagraph. (ii) An official or employee of the state Department of Education may share such information with a person who is an employee of, and conducting academic research at, any postsecondary education institution accredited by a regional or national accrediting organization recognized by the United States Department of Education, provided the person and the department have entered into a memorandum of understanding in which the person agrees to be liable for any criminal and civil penalties imposed as provided in Subsection G of this Section for any violation of the provisions of this Section.

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 716 Original

2018 Regular Session

Leger

Abstract: Allows the state Dept. of Education to share student information with certain postsecondary education institutions, including those located out-of-state for purposes of academic research.

<u>Present law</u> prohibits an official or employee of a city, parish, or other local public school system from providing personally identifiable student information to any member of the school board or to any other person or public or private entity. Provides certain exceptions to this prohibition including providing information to the state Dept. of Education for the purpose of satisfying state and federal assessment, auditing, funding, monitoring, program administration, and state accountability requirements, if sufficient personally identifiable information is removed so that the remaining information alone cannot be used to identify

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a student. Authorizes officials and employees of the department to share information it has received with a person or public or private entity outside of La. only for purposes of academic analysis of assessments.

<u>Present law</u> provides that most violations of <u>present law</u> are punishable by imprisonment for not more than six months or by a fine of not more than \$10,000.

<u>Proposed law</u> further authorizes the department to share student information it has received with a person who is an employee of and conducting research at a postsecondary education institution accredited by a regional or national accrediting organization recognized by the U.S. Dept. of Education if the person and the department enter into a memorandum of understanding in which the person agrees to be liable for any criminal and civil penalties imposed by present law for any violation of present law.

(Amends R.S. 17:3914(C)(2)(intro. para.) and (b))