

Louisiana Believes

Student Data Privacy in Louisiana

NCES 2017

Louisiana's Student Data Privacy Law

(LA R.S. 17:3914)

With the upsurge in the use of technology and the proliferation of student privacy laws, districts and schools are looking for help in navigating the waters of student privacy. Louisiana is not different. In July 2014, Louisiana's student data privacy law was enacted intensifying this reality for Louisiana's educators by putting forth the following restrictions:

- Prohibiting the collection of certain data from students,
- Prohibiting school systems from sending personally identifiable information (PII) to the Louisiana Department of Education (LDOE),
- Requiring the development of a statewide identifier for every child, and
- Applying hefty penalties to anyone or entity in violation of the law.

Requirements of Louisiana's Student Data Privacy Law

The law also set forth the following requirements:

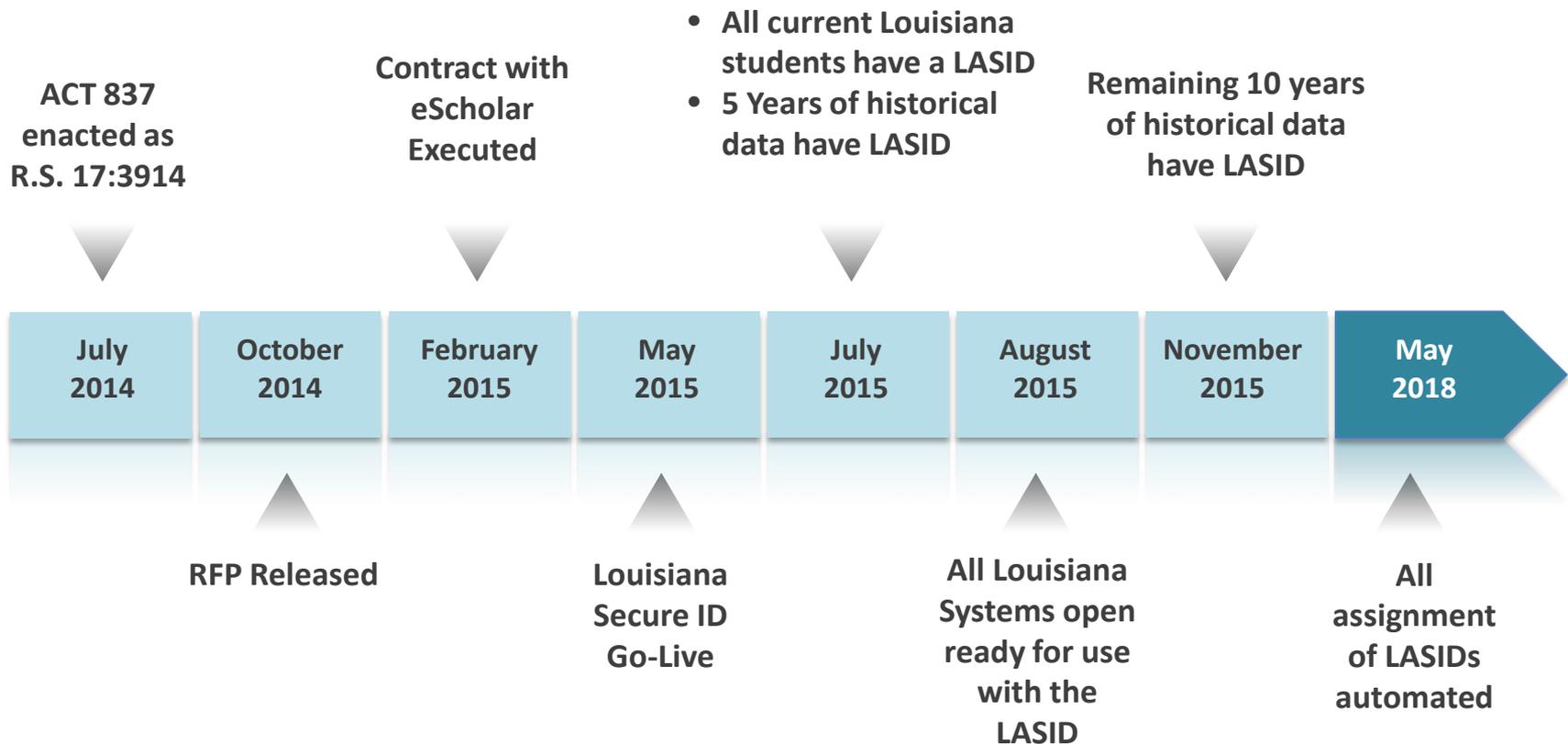
- The Department must create a system of unique student identification numbers not based on social security numbers, and students must retain their unique identifier throughout their tenure in Louisiana public schools.
- LEAs must assign unique student identification numbers to all students enrolled in public schools.
- LEAs must gather parental consent annually for sharing PII with the Louisiana Office of Student Financial Assistance and postsecondary institutions through Board of Regents for purposes of financial aid and college admission.

Personally Identifiable Information

Louisiana's student data privacy law defines PII as:

- Information about an individual that can be used on its own or with other information to identify, contact, or locate a single individual, including but not limited to the following:
 - Any 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.
 - Any other information that is linked or linkable to an individual such as medical, educational, financial, and employment information.
 - Two or more pieces of information that separately or when linked together can be used to reasonably ascertain the identity of the person.

Partnership for Implementation



Moving Beyond

After two years of intense change, the LDOE was able to take a step back this year and shift to developing a comprehensive, proactive strategy to assist Louisiana's school systems in protecting student privacy.

- Louisiana's Data Governance and Student Privacy Guidebook
- Regional Trainings
- Monthly Webinars

Louisiana's Data Governance and Student Privacy Guidebook

The guidebook provides a roadmap for school systems in developing and executing their plan to ensure student privacy is a priority. It breaks down the process of building a data governance plan into six steps - know the laws, build a team, provide training, build strong protocols, make security a priority, and involve parents. For each step, tools, templates, and exemplars are provided enabling districts to customize their plan. Additionally, the guidebook features an overview of federal and state laws along with annotations as to where Louisiana law is more restrictive and requires school systems to take added caution.

[Louisiana Data Governance and Student Privacy Guidebook](#)

Regional Trainings

Regional trainings, occurring every other month from September through March, provided a dedicated time and place for school systems to dig into the specifics of data governance and privacy in order to develop their plan. The Department's [presentations](#) walked system leaders through each step in the process as outlined in the guidebook and provided them with [tools](#) to assist in plan development. Additionally, a very important aspect of these presentations was the time school systems spent communicating with one another, leveraging each other's knowledge and skills, and obtaining answers and solutions to their biggest data privacy issues. These connections made this new, and sometimes overwhelming, work more manageable and created a strong sense of comradery.

Monthly Webinars

Monthly webinars were established to highlight schools systems that were developing or implementing exemplary plans, and provided a venue for system leaders to network on data governance and privacy issues. Many school systems have great ideas and proven methods, and these monthly calls provide them with the opportunity to share their lessons learned with their peers. These meetings have proven to be extremely valuable to both

Balancing Transparency and Student Privacy

Balancing transparency and privacy is a challenge. In recent years, most states have established student data privacy laws; however, the Family Educational Rights and Privacy Act (FERPA) has not changed or been updated to address current issues.

Privacy laws impact the way we report data; in many cases, stricter privacy laws result in reporting broader groupings of students or eliminating the reporting of the data category. Unfortunately, there is very little guidance around how to strike the transparency-privacy balance. Ultimately there is a need for alignment in all reporting and clearer guidance.