

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 428

(Senator Pinsky, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

Education - Military Recruiters - Student Contact Information - Opportunity to Opt Out

This bill requires a public school to notify each student and the parent or guardian of each student that they may request that the student's name, address, and telephone number not be released to military recruiters. The bill applies to any public school that provides access or student information to any person or group that makes students aware of occupational or educational options. Notification of the option to not release contact information to military recruiters must be provided on the emergency contact information form distributed by public schools and must give the student or the student's parent or guardian the opportunity to opt out of releasing contact information by checking a box marked "Do not release contact information." By October 1 and March 1 of each school year, the principal of each public school must submit a list to the local board of education of each student whose contact information is not to be released to military recruiters.

Fiscal Summary

State Effect: None. The bill is directed at public schools.

Local Effect: Schools and school systems could comply with the bill's requirements without impacting local school budgets.

Small Business Effect: None.

Analysis

Current Law: A public school that provides its student information directory or access to its buildings to any person or group that makes students aware of occupational or educational options must also provide access on the same basis to official recruiting representatives of military forces for the purpose of informing students of educational and career opportunities available in the military.

Under the federal No Child Left Behind Act, public and private schools around the country must adhere to this policy in order to qualify for federal funding under the Act. However, the federal law also requires local school districts to notify parents of the option to request that contact information not be made available to military recruiters.

Background: In effect, the bill would standardize the process to be used to comply with No Child Left Behind. Currently, school systems may use a variety of methods to inform parents and students that they have the right to deny military recruiters access to contact information.

In a policy letter dated July 2, 2003, the U.S. Department of Education notified school systems that schools are required to have an “opt-out” notification process, not an “opt-in” process. Thus, federal law does not permit local school systems to withhold a student’s contact information from military recruiters except when the student’s parent or guardian has specifically denied disclosure.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2008
mll/rhh Revised - Enrolled Bill - May 12, 2008

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