

# SENATE BILL 349

F1, F5

9lr1359

---

By: **Senators Pinsky, Harrington, Madaleno, and Raskin**

Introduced and read first time: January 29, 2009

Assigned to: Education, Health, and Environmental Affairs

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Protection of Privacy – Release of Test Results – Military**  
3 **Recruiters**

4 FOR the purpose of prohibiting school officials from releasing the test results of the  
5 Armed Services Vocational Aptitude Battery to military recruiters without  
6 certain consent; and generally relating to the release of test results by public  
7 school officials to military recruiters.

8 BY repealing and reenacting, with amendments,  
9 Article – Education  
10 Section 7–111  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Education**

16 7–111.

17 (a) Subject to subsection (b) of this section, each public school under the  
18 jurisdiction of a county board that provides access to its buildings and grounds or its  
19 student information directory to any person or group which makes students aware of  
20 occupational or educational options shall provide access on the same basis to official  
21 recruiting representatives of the military forces of this State and the United States for  
22 the purpose of informing students of educational and career opportunities available in  
23 the military.

24 (b) (1) A public school subject to this section shall provide notice to each  
25 student and to the parent or guardian of each student enrolled at the school that, in

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 accordance with federal law, the student or the parent or guardian of the student may  
2 request that the student's name, address, and telephone number not be released to  
3 military recruiters.

4 (2) The notice described under paragraph (1) of this subsection shall:

5 (i) Be included in a clear and conspicuous manner and in the  
6 same size type as the other statements on the card requesting emergency contact  
7 information that is distributed by the public school to each student or parent or  
8 guardian of the student; and

9 (ii) Request that the student or the parent or guardian of the  
10 student indicate if the student's name, address, and telephone number is not to be  
11 released to military recruiters by checking the box "Do not release contact  
12 information".

13 (3) On or before October 1 and March 1 of each school year, the  
14 principal of each public school in a county shall submit a list to the county board that  
15 includes the name, address, and telephone number of each student whose contact  
16 information is not released to military recruiters as directed under paragraph (2)(ii) of  
17 this subsection.

18 **(C) IN A PUBLIC SCHOOL SUBJECT TO THIS SECTION, A PUBLIC SCHOOL**  
19 **OFFICIAL MAY NOT RELEASE THE TEST RESULTS OF THE ARMED SERVICES**  
20 **VOCATIONAL APTITUDE BATTERY TO A MILITARY RECRUITER, IN ACCORDANCE**  
21 **WITH RECRUITER RELEASE OPTIONS UNDER FEDERAL LAW, WITHOUT THE**  
22 **ACTIVE CONSENT OF THE STUDENT OR THE PARENT OR GUARDIAN OF THE**  
23 **STUDENT WHO TOOK THE TEST.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2009.