

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

Committee Report: Favorable

Senate action: Adopted

Read second time: March 24, 2009

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 the purpose of informing students of educational and career opportunities available in
2 the military.

3 (b) (1) A public school subject to this section shall provide notice to each
4 student and to the parent or guardian of each student enrolled at the school that, in
5 accordance with federal law, the student or the parent or guardian of the student may
6 request that the student's name, address, and telephone number not be released to
7 military recruiters.

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

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.