

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**

Senate Bill 349 (Senator Pinsky, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

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**Education - Protection of Privacy - Release of Test Results - Military Recruiters**

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This bill prohibits public school officials from releasing test results from the Armed Services Vocational Aptitude Battery (ASVAB) to military recruiters without the active consent of the student or the student's parent or guardian.

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**Fiscal Summary**

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

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

**Small Business Effect:** None.

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**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.

Public schools are required 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.

**Background:** ASVAB is a test created by the U.S. Defense Department (DoD) in the 1960s to assess the men and women who want to enlist in the U.S. Armed Forces. The test results are used to determine whether or not an individual qualifies for military service, and if so, what jobs the individual qualifies for. The high school version of ASVAB is also used to help school counselors and students discover where a student's basic aptitude lies. Before a student takes ASVAB, the student is asked to sign a statement authorizing DoD to score the test and return the results to the school. Both the student and the school counselor receive copies of the results. Each school determines if it will release the student scores to the military services.

If a student takes ASVAB, the student signs a form that states that test scores may not be processed *unless* the form is signed. The student's signature releases personal information (*i.e.*, name, home address, telephone number, Social Security number, test score, etc.) for use as part of a computer listing for recruitment purposes. There is an option that prevents the student's personal information from being added to the military's recruiting list, but some citizens believe this option is not properly disclosed to students.

The local school systems in Montgomery and Prince George's counties currently prohibit public schools from releasing test results from ASVAB to military recruiters without the active consent of the student or the student's parent or guardian.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - March 12, 2009  
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