

Department of Legislative Services  
Maryland General Assembly  
2010 Session

**FISCAL AND POLICY NOTE**

Senate Bill 778

(Senator Raskin, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

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**Public Schools - Student Information - Availability to Military Recruiters**

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This bill requires any public school that administers the Armed Services Vocational Aptitude Battery (ASVAB) to choose the score reporting “Option 8,” which prohibits the general release of any student information to military recruiters. Each public school must also send written notice to the ASVAB representative coordinating the school’s administration of the test that the school is required to choose “Option 8” and must also notify students taking ASVAB and their parent or guardian of the requirement. A student or a student’s parent or guardian may choose to release the student’s personal information and ASVAB score to military recruiters by individually submitting the release forms to the military services.

The bill takes effect July 1, 2010.

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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 (NCLB) 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. Department of Defense (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, for which jobs the individual qualifies. 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.

When ASVAB is sent to DoD for scoring, schools have eight options regarding the release of test information to military recruiters. The default option for schools is "Option 1. No special instructions." Under this option, recruiters are free to obtain scores and use them however they wish. On the other end of the spectrum is "Option 8. No release to recruiters." However, some citizens believe this option is not properly disclosed to schools or students. Under current law, each school determines if it will release the student scores to the military services.

The ASVAB option chosen by a school only applies to the release of the test scores and the associated contact information. It does not apply to the *general* release of student contact information to military recruiters by schools. Therefore, the bill is likely consistent with the NCLB requirement that schools provide students' contact information to military recruiters unless the students have specifically requested that their information not be released.

The local school systems in Frederick, Howard, Montgomery, and Prince George's counties currently select Option 8 for all students.

## **Additional Information**

**Prior Introductions:** SB 349 of 2009, which required the active consent of the student or the student's parent or guardian to release ASVAB test results to military recruiters, passed the Senate but received an unfavorable report from the House Ways and Means Committee.

**Cross File:** HB 176 (Delegate Hixson, *et al.*) - Ways and Means.

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

**Fiscal Note History:** First Reader - March 1, 2010  
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Analysis by: Caroline L. Boice

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510