

Students

NEW

**SUBJECT: MILITARY RECRUITERS' ACCESS TO SECONDARY SCHOOL STUDENTS AND INFORMATION ON STUDENTS**

In accordance with law, the District will comply with a request by a Military Recruiter for names, addresses, and telephone listings of eligible students. "Eligible student" under the Elementary and Secondary Education Act (ESEA) and the National Defense Authorization Act is defined as a secondary student who is 17 years of age or older or in the eleventh grade (or its equivalent) or higher. Under ESEA and the National Defense Authorization Act, parents must be notified that the District by law routinely discloses students' names, addresses, and telephone listings to Military Recruiters upon request, subject to a parents' or eligible student's request not to disclose that information with written parental verification of that request.

Under the Family Educational Rights and Privacy Act (FERPA), the District must provide notice to parents or eligible students of the types of student information that it releases publicly. This type of information, commonly referred to as "directory information," includes - but is not limited to - items such as students' names, addresses, and telephone listings. The notice must include an explanation of a parent's or eligible student's right to request that "directory information" not be disclosed without prior written consent of the parent or eligible student. "Eligible student" under FERPA is defined as a student 18 years of age or older or who is attending an institution of post-secondary education.

A single notice provided through a mailing, student handbook, or other method that is reasonably calculated to inform parents/eligible students of the above information is sufficient to satisfy the notification requirements of both FERPA, ESEA and the National Defense Authorization Act. The notification shall advise the parent/eligible student of how to opt out of the public, nonconsensual disclosure of directory information and the disclosure of name, address and telephone listing to Military Recruiters; and shall state the method and timeline within which to do so.

Further, in compliance with the ESEA and the National Defense Authorization Act, the District shall give Military Recruiters the same access to secondary school students as they provide to postsecondary institutions or to prospective employers.

If a parent/eligible student opts out of providing directory information (or any subset of such information) to third parties, the opt-out relating to the student's name, address, or telephone listing applies to requests from Military Recruiters as well. For example, if the opt-out states that telephone numbers will not be disclosed to the public, the District may not disclose telephone numbers to Military Recruiters.

The Superintendent or designee shall ensure that appropriate notification is provided regarding the opt-out rights prohibiting release of directory information and/or release of name, address and telephone listing to Military Recruiters.

(Continued)

2017

7242  
2 of 2

Students

**SUBJECT: MILITARY RECRUITERS' ACCESS TO SECONDARY SCHOOL STUDENTS  
AND INFORMATION ON STUDENTS (Cont'd.)**

Elementary and Secondary Education Act of 1965, Section 9528, 20 USC Section 7908 as amended by the  
No Child Left Behind Act of 2001

Family Educational Rights and Privacy Act of 1974, 20 USC Section 1232(g)

National Defense Authorization Act Section 544, 10 USC Section 503

34 CFR Section 300.571

Education Law Section 2-a

8 NYCRR Section 3.33

Adopted: 12/14/04  
Revised: 12/2/08;

# POLICY

2008

7362  
1 of 2

Students

OLD Change to 7242

## **SUBJECT: MILITARY RECRUITERS' ACCESS TO SECONDARY SCHOOL STUDENTS AND INFORMATION ON STUDENTS**

In compliance with the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act of 2001 (NCLB); and the National Defense Authorization Act, and in accordance with the Family Educational Rights and Privacy Act (FERPA), the District shall comply with a request by a Military Recruiter for names, addresses, and telephone listings of eligible students. Eligible student under ESEA and the National Defense Authorization Act is defined as a secondary student who is 17 years of age or older or in the eleventh grade (or its equivalent) or higher. Under ESEA and the National Defense Authorization Act, parents must be notified that the District by law routinely discloses students' names, addresses, and telephone listings to Military Recruiters upon request, subject to a parent's/eligible student's request not to disclose such information with written parental verification of such request.

Under FERPA, the District must provide notice to parents/eligible students of the types of student information that it releases publicly. This type of information, commonly referred to as "directory information," which is released by the District includes - but is not limited to - such items as students' names, addresses, and telephone listings. The notice must include an explanation of a parent's/eligible student's right to request that "directory information" not be disclosed without prior written consent of the parent/eligible student. Eligible student under FERPA is defined as a student 18 years of age or older or who is attending an institution of post-secondary education.

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The Superintendent or designee shall ensure that appropriate notification is provided regarding the opt-out rights prohibiting release of directory information and/or release of name, address and telephone listing to Military Recruiters.

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# POLICY

2008

7362  
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Students

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