

111TH CONGRESS
1ST SESSION

H. R. 1091

To amend the Elementary and Secondary Education Act of 1965 to direct local educational agencies to release secondary school student information to military recruiters if the student's parent provides written consent for the release, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2009

Mr. HONDA (for himself, Mr. PAUL, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. OLVER, Mr. CLEAVER, Ms. BALDWIN, Mr. WAXMAN, Mr. CONYERS, Ms. WOOLSEY, Mr. NADLER of New York, Mrs. CAPPS, Ms. HIRONO, Mr. DEFazio, Ms. BERKLEY, Mr. MCGOVERN, Mr. DELAHUNT, Mrs. MALONEY, Mr. KAGEN, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. AL GREEN of Texas, Mr. SIRES, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Mr. STARK, Mr. SERRANO, Mr. WELCH, and Mr. ROTHMAN of New Jersey) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Elementary and Secondary Education Act of 1965 to direct local educational agencies to release secondary school student information to military recruiters if the student's parent provides written consent for the release, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Student Privacy Pro-
3 tection Act of 2009”.

4 **SEC. 2. ACCESS BY MILITARY RECRUITERS TO SECONDARY**
5 **SCHOOL STUDENT INFORMATION.**

6 (a) AMENDMENTS.—Section 9528 of the Elementary
7 and Secondary Education Act of 1965 (20 U.S.C. 7908)
8 is amended—

9 (1) by redesignating subsections (a) through (d)
10 as subsections (b) through (e), respectively;

11 (2) by inserting before subsection (b) (as so re-
12 designated) the following:

13 “(a) MILITARY RECRUITERS.—

14 “(1) ACCESS TO STUDENT RECRUITING INFOR-
15 MATION.—Notwithstanding section 503(c) of title
16 10, United States Code, each local educational agen-
17 cy receiving assistance under this Act shall provide,
18 on a request made by military recruiters, access to
19 the name, address, and telephone listing of each sec-
20 ondary student served by the agency if the parent of
21 the student involved has provided written consent to
22 the agency for the release of such information to
23 military recruiters.

24 “(2) NOTICE; OPPORTUNITY TO CONSENT.—A
25 local educational agency receiving assistance under
26 this Act shall—

1 “(A) notify the parent of each secondary
 2 school student served by the agency of the op-
 3 tion to consent to the release of the student’s
 4 name, address, and telephone listing to military
 5 recruiters; and

6 “(B) give the parent an opportunity to
 7 provide such consent in writing.”;

8 (3) in subsection (b) (as so redesignated)—

9 (A) by striking “POLICY.—” and inserting
 10 “INSTITUTIONS OF HIGHER EDUCATION.—”;
 11 and

12 (B) in paragraph (1), by striking “military
 13 recruiters or”; and

14 (4) by transferring paragraph (3) of subsection
 15 (b) (as so redesignated) from the end of such sub-
 16 section to the end of subsection (a) (as added by
 17 paragraph (2)).

18 (b) APPLICATION.—The amendments made by this
 19 Act apply only with respect to school years beginning after
 20 the date of the enactment of this Act.

○