

113TH CONGRESS
1ST SESSION

H. R. 392

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

JANUARY 23, 2013

Mr. HONDA (for himself, Mr. CONYERS, Mr. GRIJALVA, Ms. MCCOLLUM, Ms. MOORE, Mrs. NAPOLITANO, Mr. POLIS, and Mr. VAN HOLLEN) introduced the following bill; which was referred to the Committee on Education and the Workforce

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

3 (a) AMENDMENTS.—Section 9528 of the Elementary
4 and Secondary Education Act of 1965 (20 U.S.C. 7908)
5 is amended—

6 (1) by redesignating subsections (a) through (d)
7 as subsections (b) through (e), respectively;

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

10 “(a) MILITARY RECRUITERS.—

11 “(1) ACCESS TO STUDENT RECRUITING INFOR-
12 MATION.—Notwithstanding section 503(c) of title
13 10, United States Code, each local educational agen-
14 cy receiving assistance under this Act shall provide,
15 on a request made by military recruiters, access to
16 the name, address, and telephone listing of each sec-
17 ondary student served by the agency if the parent of
18 the student involved has provided written consent to
19 the agency for the release of such information to
20 military recruiters.

21 “(2) NOTICE; OPPORTUNITY TO CONSENT.—A
22 local educational agency receiving assistance under
23 this Act shall—

24 “(A) notify the parent of each secondary
25 school student served by the agency of the op-
26 tion to consent to the release of the student’s

1 name, address, and telephone listing to military
2 recruiters; and

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

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

6 (A) by striking “POLICY.—” and inserting
7 “INSTITUTIONS OF HIGHER EDUCATION.—”;
8 and

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

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

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

○