

HOUSE BILL REPORT

HB 2026

As Passed House:

January 30, 2008

Title: An act relating to recruiters' access to high school students.

Brief Description: Regarding recruiter access to student records.

Sponsors: By Representatives Santos, McDermott, Haigh, Sullivan, Ericks, Simpson, Ormsby and Hasegawa.

Brief History:

Committee Activity:

Education: 2/16/07, 2/23/07 [DP].

Floor Activity:

Passed House: 3/8/07, 58-38.

Floor Activity:

Passed House: 1/30/08, 64-32.

Brief Summary of Bill

- Requires any school or school district that allows military recruiters to have access to students or student records to allow the same access to representatives of the Job Corps, Peace Corps, and AmeriCorps.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass. Signed by 6 members: Representatives Quall, Chair; Barlow, Vice Chair; Haigh, McDermott, Santos and P. Sullivan.

Minority Report: Do not pass. Signed by 3 members: Representatives Priest, Ranking Minority Member; Anderson, Assistant Ranking Minority Member and Roach.

Staff: Barbara McLain (786-7383).

Background:

The federal Family Educational Rights and Privacy Act (FERPA) prohibits schools from releasing student education records without parental consent. An exception allows schools to

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release student directory information, such as a student's name, address, and telephone number, provided that the schools give the students' parents a reasonable time to inform the school that the information should not be released without parental consent.

Federal law also requires schools and school districts that receive federal funds to provide, upon request by a military recruiter, access to secondary students' names, addresses, and telephone numbers. A student or parent may opt-out of having the student's information released to recruiters by notifying the school that the student's information is not to be released. Schools must notify parents of the opt-out option and comply with any requests. The law also requires school districts that receive federal funds to provide military recruiters with the same access to high school students that the school generally grants to institutions of higher education or to prospective employers of the students.

There are also state requirements that apply to school districts that allow prospective employers and recruiters from postsecondary institutions to have access to the school campus and to student information. Under Washington law, these school districts must allow the same access to military recruiters.

Summary of Bill:

Any school or school district that allows military recruiters to have access to students or student records must provide the same type of access to recruiters and representatives of the Job Corps, Peace Corps, and AmeriCorps. Schools may only release student or family information as permitted by the federal FERPA.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This state has a strong commitment to national service. Information about high school students should be equally available to civilian service organizations in our country. In every community in Washington, you can find organized groups of young people engaged in the highest level of service learning and benefiting their communities at the same time. The Department of Defense surveys students between 16 and 26 years old to predict who may enlist and what things might induce them to enlist. They have found that students do not recognize that service in the civilian sector through organizations like the Job Corps, Peace Corps, and AmeriCorps is service to this country. Military recruiting offers post-secondary vocational training as part of its appeal, and students should know that Job Corps, Peace Corps, and AmeriCorps also offer post-secondary vocational training. The FERPA

requirements on notification are somewhat vague, and in order for a district to comply with the opt-out portions in No Child Left Behind and FERPA, the school district can simply put an advertisement in the paper. It might be important to consider developing a more uniform mechanism so that more attention is paid to the opt-out option.

(Opposed) None.

Persons Testifying: (In support) Representative Santos, prime sponsor; and E. Richard Power, Friends Committee on Washington Public Policy.

Persons Signed In To Testify But Not Testifying: None.