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**Testimony for the Senate Education, Health & Environmental Affairs Committee
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SB 778 – Public Schools – Student Information – Availability to Military Recruiters

SUPPORT

This bill protects private student information collected during the administration of the Armed Services Vocational Aptitude Battery Test (“ASVAB”) from being disclosed to military recruiters without the knowing consent of parents and students. The ASVAB is a three and a half hour test offered to students as a career exploration tool. In past years, however, the ASVAB has increasingly become more of a recruiting tool used by the military, giving them access to private student information in order to directly target the individuals of their choice.

Currently, schools can administer this exam and select one of eight different release options¹ that authorize the release of student information without the consent of the parents. Under this bill, schools will be mandated to choose Option 8, which prohibits the general release of student information to military recruiters, thereby protecting the students right to privacy. Parents can choose to provide ASVAB test information and other information to the military; this bill ensures that parents are the ones making the choice, not schools. The bill requires public schools to send notice to the parents or guardians of students taking the ASVAB that the school will not be releasing information unless parents so request by completing appropriate forms.

Every school year hundreds of high school students in the Maryland public school system are encouraged, and sometimes even required, to take the ASVAB test before they

¹ These options are known as Recruiter Release Options and each option has a different time requirement for the release of student information. For example, Option 1 requires schools to provide student test information to recruiting services no sooner than 7 days after the results are mailed to the school.

graduate. School officials encourage students to take the test under the belief that the purpose of the ASVAB is to assist students in exploring their various career options. We do not object to the administration of the ASVAB test; however, the distribution of the enormous amount of data collected on the ASVAB to military recruiters is a serious infringement on the privacy rights of those students. The information requested goes far beyond a simple name and address and test scores; during the administration of the ASVAB, students release their gender, race, ethnicity, test results, career desires, and social security numbers. Most often this information gathering is done without parental involvement or consent. Many students and parents of those students have no knowledge about where all of their private and personal information goes, nor do they realize how much information is released to military recruiters.

While some counties² have already taken steps to disallow the ASVAB from being used as a recruitment tool without parental consent, students' privacy in other Maryland school districts are not as protected.³ Parents and students should be afforded the opportunity to decide whether they want to contact military recruiters and share this information, not the schools or the military recruiters. This bill gives the parents the right to decide whether they want to be contacted by military recruiters and safeguards the privacy rights of students who take the ASVAB.

SB 778 allows parents to choose what ASVAB collected student information is shared with military recruiters. It should receive a favorable report.

² Montgomery County and Prince George's County are two of four counties in which the schools choose Option 8 as their score reporting option.

³ Probably the most egregious example comes from Allegany High School in Allegany County that requires all juniors to take the ASVAB and releases that information to military recruiters.