

HOUSE No. 500

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to student privacy..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 88 of Chapter 71 of the General Laws, as appearing in the 2004 Official Edition,
2 is hereby amended by designating the existing paragraph as subsection (a) and adding thereafter
3 the following subsections:-

4 (b) The parent or legal guardian and pupil shall, at the beginning of the school year:

5 (i) be provided a form notifying them of their right under Section 503 (c)(1)(B) of Title
6 10 of the United States Code to request, pursuant to Section 7908(a)(2) of Title 20 of the United
7 States Code, that the pupil’s name, address, and telephone number listing not be released to
8 military recruiters without prior written consent of the parent or legal guardian;

9 (ii) be allowed to indicate on said form that the parent or legal guardian, or pupil chooses
10 to make the request specified in paragraph (b)(i).

11 (c) Schools shall confirm to the parent or legal guardian and pupil in writing that the
12 request made under subsection (b)(i) has been complied with within one month of the request
13 being made.

14 (d) Any school in which the ASVAB test is to be administered shall notify students,
15 parents, and legal guardians in writing, and students by voice, at least one week prior to the
16 administration of the test, that all test results, names, and contact information may be released to
17 the Department of Defense and that the student may elect not to take the test without any penalty.

18 (e) All public high schools are prohibited from distributing contact information of
19 students who have requested that their information be kept private pursuant to subsection (b)(i)
20 to any vendor, recruiter, or third party who does not expressly agree that they will not share the
21 student's information with military recruiters.

22 (f) All written notices required in this section shall be provided in English and, to the
23 maximum extent possible, the primary language of the parent or legal guardian.