

Military Recruitment in U.S. High Schools Under the No Child Left Behind Act

You may be aware that under a newly enacted provision of the No Child Left Behind Act (NCLB), Public Law 107-110 section 9528, high schools across the nation are required to provide the Defense Department a directory with the name, address and telephone of all juniors and seniors or risk losing federal funding. Prior to this provision, many of the nation's high schools refused recruiters' requests for students' names or access to campus because they believed it was inappropriate. Below are some basic facts about the rights of students, parents and schools under the NCLB.

- ❖ The Local Education Agency (LEA), i.e. the District Office – not individual schools- has the authority to release confidential student information like name, address and phone number.
- ❖ Individual schools have been singled out by military recruiters and persuaded to sign already-prepared documents saying that they are not complying with the No Child Left Behind Act and are at risk for losing their federal funding. Schools should contact their LEA for support.
- ❖ The No Child Left Behind Act requires that parents be notified about the potential for their child's personal information being released to military recruiters. Yet not all schools necessarily ensure that parents are well-informed. The notification may appear in the fine print of a 200 page student handbook. Some districts are mailing individual letters to parents with all pertinent, updated information regarding students' privacy, however.
- ❖ Parents may write letters to their child's school administration stating that they decline to have their child's privileged information released to military recruiters. Students may write on their own behalf as well. Sample letters and petitions for opting out of the process are available at: <http://www.wagingpeace.org/new/getinvolved/index.htm>
- ❖ Since September 11, 2001, the FBI has requested students' personal information from over 200 colleges as a part of their inquiry into potential terrorist links. Only one college – Earlham in Indiana – refused to release this information about their students to the government. This new exception under the No Child Left Behind Act is another slide down the slippery slope eroding students' right to privacy.
- ❖ Nothing in the No Child Left Behind Act would preclude a school district from passing along the costs of preparing the directory lists, including the costs of safeguarding of student privacy rights, to the entity that requests it. A school may try asking the recruitment agency to reimburse such costs.
- ❖ Schools are not required to give preferential campus access to the military, but may employ the same restrictions that would apply to representatives of higher education and prospective employers. For instance, schools that require students to hear alternative views on controversial issues or exclude employers that practice discrimination have the right to apply those policies to the military. (Note: The military engages in discrimination based on sexual orientation.)
- ❖ The No Child Left Behind Act will assist the military in their current practice of targeting communities of color and economically disadvantaged communities for recruitment. Though people of color are more likely to be assigned low-level jobs and passed over for promotion in the military, recruiters actively targeted them with tactics such as specialized ad campaigns.

This fact sheet was compiled by the Nuclear Age Peace Foundation.

For sample letters, news articles, the text of the legislation, and other relevant information see the Foundation's website at: <http://www.wagingpeace.org/new/getinvolved/index.htm>, or contact us at advocacy@napf.org.