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HOUSE BILL 2321

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives McDermott, Barlow, Clibborn, Jarrett, Santos and Williams

Read first time 02/20/2007. Referred to Committee on Education.

1            AN ACT Relating to student privacy and directory information;  
2 adding a new section to chapter 28A.230 RCW; and creating a new  
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** It is the intent of the legislature, in the  
6 interest of student confidentiality, that school districts minimize the  
7 release of student telephone numbers and other directory information in  
8 the absence of express parental consent. The legislature finds that  
9 the nondisclosure of student telephone numbers and other directory  
10 information reduces the possibility of harassment of students and their  
11 families by organizations that received student information.

12            NEW SECTION.    **Sec. 2.** A new section is added to chapter 28A.230  
13 RCW to read as follows:

14            (1) By September 1, 2007, each school district shall provide  
15 separate written notice to every public high school student and his or  
16 her parent or legal guardian informing the students, parents, and  
17 guardians: (a) Of their right to request, pursuant to 20 U.S.C. Sec.  
18 7908(a)(2), that the student's directory information not be released to

1 recruiters without the prior written consent of the student's parent or  
2 guardian or the student; (b) that if they do not request that the  
3 student's directory information be withheld from some or all recruiters  
4 by the thirtieth day of the new school year, the school may release the  
5 student's directory information if requested to do so by a recruiter;  
6 and (c) of the obligation of all males between the ages of eighteen and  
7 twenty-five years to register with selective services within thirty  
8 days of their eighteenth birthday and information regarding how to  
9 register.

10 (2) The school district shall provide the notice required by  
11 subsection (1) of this section in English and in any other languages  
12 the district provides other district-wide written notice to students,  
13 parents, or guardians.

14 (3) The notice provided under subsection (1) of this section shall  
15 clearly distinguish among categories of recruiters and provide parents,  
16 guardians, and students with the option of requesting that directory  
17 information not be released to a particular category or categories of  
18 recruiters. At a minimum, the categories of recruiters shall be broken  
19 into (a) higher education and vocational education recruiters and  
20 employers and (b) military recruiters. A request that a student's  
21 information not be released to a particular category of recruiters does  
22 not prohibit a school from releasing information to recruiters in any  
23 other category.

24 (4) The notice required by this section shall be sent to parents or  
25 guardians and students for each new school year. A school district  
26 shall not release directory information to any recruiter, except upon  
27 express written consent from the parent, guardian, or student, after  
28 the last day of the school year or before the forty-fifth day of the  
29 new school year.

30 (5) A student, parent, or guardian may request at any time that the  
31 student's directory information not be released, and such a request  
32 shall be honored by the school district.

33 (6) Each school district shall establish procedures for taking  
34 appropriate action when an individual recruiter engages in dishonest,  
35 unscrupulous, or deceptive recruiting practices or violates the school  
36 district's policies regarding recruiters on campus.

37 (7) Each school district shall adopt policies and practices that  
38 provide equal access among all categories of recruiters by defining the

1 frequency and location of recruiter contacts with students. The  
2 policies shall also clearly state what are acceptable and unacceptable  
3 recruiter practices on campus.

4 (8) Each school district shall adopt policies to assure that with  
5 respect to any standardized test that is offered to students by  
6 recruiters release of individually identifiable results or individual  
7 data associated with any student shall be under the sole control of the  
8 student and/or the student's parent or guardian, who may waive the  
9 confidentiality of the results.

10 (9) The superintendent of public instruction shall develop and post  
11 on its web site a model notice and request form for withholding  
12 directory information; a model notice identifying selective service  
13 obligations; and model policies that comply with the requirements of  
14 this section. The model notice and request form must provide a brief  
15 explanation of the federal requirement that student directory  
16 information be shared unless the student, parent, or guardian requests  
17 the information be withheld. School districts may adopt the model  
18 notices and request form and model policies or may develop their own  
19 forms, notices, and policies to comply with this section.

20 (10) The definitions in this subsection apply throughout this  
21 section.

22 (a) "Directory information" has the same meaning as in 20 U.S.C.  
23 Sec. 1232g(a)(5)(A), which states that "the term...relating to a  
24 student includes the following: the student's name, address, telephone  
25 listing, date and place of birth, major field of study, participation  
26 in officially recognized activities and sports, weight and height of  
27 members of athletic teams, dates of attendance, degrees and awards  
28 received, and the most recent previous educational agency or  
29 institution attended by the student."

30 (b) "Recruiter" means anyone who seeks to solicit a student to  
31 attend or apply to a particular educational or vocational institution  
32 or program, apply for employment with a private or public employer, or  
33 enlist in the military.

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