Legislation Details (With Text)

File #:	Res 2010-2009	**Version:**	*	**Name:**	Require local education agencies to provide military recruitment “opt-out” forms to all high school students beginning in the 9th grade along with their annual emergency contact forms.
Type:	Resolution			**Status:**	Filed
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On agenda:	6/10/2009				
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Title:	Resolution calling upon the New York State Legislature to amend State Education Law to require local education agencies to provide military recruitment “opt-out” forms to all high school students beginning in the 9th grade along with their annual emergency contact forms.				
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Date	Ver.	Action By	Action	Result
6/10/2009	*	City Council	Introduced by Council	
6/10/2009	*	City Council	Referred to Comm by Council	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 2010

Resolution calling upon the New York State Legislature to amend State Education Law to require local education agencies to provide military recruitment “opt-out” forms to all high school students beginning in the 9th grade along with their annual emergency contact forms.

By The Public Advocate (Ms. Gotbaum) and Council Members Jackson, Brewer, Fidler, James, Liu, Mark-Viverito, Mealy and Sanders Jr.

Whereas, The 2001 No Child Left Behind Act (NCLB) requires local educational agencies that receive funding to provide the names, addresses and telephone listings of secondary school students if a request for such information is made by a military recruiter; and

Whereas The NCLB provides for a consent procedure whereby a secondary school student or parent of the student may request that the student’s information not be released without prior written parental consent; and

Whereas, Local educational agencies are required to inform parents of the option to make such a

request; and

Whereas, Although this "opt-out" option is available, many parents and students claim to be unaware of the procedure or timelines necessary to file due to the manner in which the information is disseminated; and

Whereas, According to the New York State Education Law (SEL), the Chancellor of the New York City school system has the authority to promulgate clear educational objectives applicable to all schools and programs throughout the city school district; and

Whereas, Currently, in New York City, student information is provided to military recruiters centrally from the Department of Education; and

Whereas, The New York City Department of Education's Chancellor's regulations require that opt out letters be distributed in September to all students in the 11th and 12th grades and mailed to parents; and

Whereas, New students who enroll in the 11th and 12th grades after the letters are mailed to parents and distributed to students must be given the opt-out letter as part of the admission/orientation packet and must be asked to return the forms within two weeks of enrollment; and

Whereas, The contact information of students who have not opted out are to be shared with military recruiters during the first week of November; and

Whereas, The Chancellor's regulations state that opt-out letters may be distributed multiple times throughout the school year at the discretion of each school's principal; and;

Whereas, Some advocates, parents and students have expressed concern about the short amount of time between when the forms are currently distributed and when the information is sent to the military; and

Whereas, In addition, many students do not relay information to their parents in a timely manner; and

Whereas, In order to provide parents and students more time to understand and respond, the Department of Education should send opt-out information home with the emergency contact forms which are distributed annually beginning in the 9th grade; and

Whereas, Providing student information to the military during a time of war is an important issue which

needs to be handled in a conscientious manner; and

Whereas, Although federal law requires that schools provide this information, the New York City Department of Education should take every step possible to ensure students and their parents have adequate time to reflect upon this requirement and make an informed decision; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend State Education Law to require local education agencies to provide military recruitment "opt-out" forms to all high school students beginning in the 9th grade along with their annual emergency contact forms.

JP
LS 7267
5/15/09