

FREQUENTLY ASKED QUESTIONS ABOUT
MILITARY RECRUITMENT AND STUDENTS’ RIGHTS

The United States Military has launched an aggressive campaign to recruit high school students to fill the ranks of the armed services.

Our lawmakers and government leaders are making recruiters’ jobs easier. Congress has passed laws, including the No Child Left Behind Act of 2001 (NCLB), that give recruiters access to information about young people and allow recruiters to go into the schools so they can try to convince high school students to enter the military. And a division of the Department of Defense called the Joint Advertising Market Research and Studies program (JAMRS) has spent millions of dollars building an extensive database of records on young people for the purposes of recruitment.

Since these policies have gone into effect, many educators, students and parents have reported that recruiters are using heavy-handed tactics to harass students, violate students’ privacy rights, and target poor students and students of color. **To help prevent harassing phone calls and visits from recruiters, students must opt out of both the NCLB recruiter access provision and the JAMRS database.**

This pamphlet seeks to help students, parents, educators, and advocates understand their rights and obligations when it comes to military recruitment. It also provides two detachable forms to help students opt out of recruiting databases and keep their information private from recruiters.

For more information, visit the NYCLU’s Project on Military Recruitment and Student Rights at www.nyclu.org or call 212.607.3300.

WHAT INFORMATION ABOUT STUDENTS CAN MILITARY RECRUITERS GET FROM SCHOOLS? ARE THERE ANY EXCEPTIONS?

Military recruiters can and do ask high schools for lists of students’ names, addresses and telephone numbers. Unless an individual student or parent tells the school in writing that the school may not release the student’s information, the school must hand it over. The recruiters’ authority

to obtain this information comes from federal law, which requires that schools disclose student names, addresses and telephone numbers (sometimes called “directory information”) to the military upon request. Also, whenever a student takes the Armed Services Vocational Aptitude Battery (ASVAB) examination, local and national recruiters can obtain that student’s information from the test form. School principals can keep student information private

from recruiters by choosing “Option 8” on the school’s ASVAB administrative forms.

CAN STUDENTS AND PARENTS PREVENT SCHOOLS FROM GIVING OUT STUDENT INFORMATION TO RECRUITERS?

Yes. NCLB states that before a school gives a recruiter a list of students and their contact information, it must give students and parents a chance to get off that list. The school cannot release student directory information if either the student or parent objects.

HOW CAN A STUDENT OR PARENT STOP A SCHOOL FROM HANDING OVER THE STUDENT’S INFORMATION TO THE MILITARY?

To keep the military from getting information about a par-

ticular student, the student or a parent must submit a request to the school, in writing, stating that the school should not give the student’s information to the military. The school should give students and parents a form for this purpose and an explanation of their right to have information withheld, but it should also honor any other kind of written request. There is a detachable NCLB opt-out form at the end of this pamphlet.

CAN A STUDENT HAVE HIS OR HER INFORMATION WITHHELD FROM MILITARY RECRUITERS BUT PROVIDED TO COLLEGES AND POTENTIAL EMPLOYERS?

Yes. Schools should allow students to opt out of supplying information to the military without being removed from college or job recruiting lists.

I AM A NON-CITIZEN WHO IS A STUDENT LIVING IN THE UNITED STATES. ARE THERE ANY CONSEQUENCES FOR ME OR MY FAMILY IF I TURN IN AN OPT-OUT FORM OR INSTRUCT MILITARY RECRUITERS TO LEAVE ME ALONE?

No. You have a right to refuse to answer any questions from a military recruiter, including questions about your or your family’s immigration status.

DOES THE MILITARY HAVE WAYS OF GETTING STUDENT INFORMATION OTHER THAN FROM SCHOOLS?

Yes. Information from schools is just a small part of DoD’s military recruitment efforts. In 2005, the DoD announced the existence of the JAMRS database—a massive registry of 30 million Americans be-

tween the ages of 16 and 25. The JAMRS program collects information from a variety of sources, including the Selective Service, Departments of Motor Vehicles, standardized tests, and commercial data brokers.

DO WE KNOW WHAT TYPE OF INFORMATION IS KEPT IN THE JAMRS DATABASE?

Yes. The JAMRS database can include a student’s name, date of birth, gender, mailing address, e-mail address, race and ethnicity, telephone number, high school, graduation date, Grade Point Average, college plans, interest or lack of interest in the military, field of study, and ASVAB Test score. Records can be kept in the JAMRS database for no more than three years.

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OPT OUT OF THE JAMRS DATABASE

JAMRS Database Opt-Out Form

The other side of this page contains an opt-out form that any student 18 or older, parent, or legal guardian may use to prevent the Department of Defense from using information gathered for the JAMRS database for recruiting purposes.

To use the form, detach this page from the rest of the pamphlet, fill out the form, place it in an envelope and mail it to:

Joint Advertising and Marketing Research & Studies
Direct Marketing Program Officer
Attention: Opt Out
4040 North Fairfax Drive, Ste. 200
Arlington, VA 22203-1613

NCLB HIGH SCHOOL OPT-OUT FORM

The other side of this page contains an opt-out form that any student, including those under 18, or parent may use to prevent a school from releasing the student’s information to military recruiters without parental consent.

To use the form, cut along the dotted line, fill out the form, and return it to your school’s principal.

A NOTE ON WHO CAN DECIDE TO WITHHOLD A STUDENT’S INFORMATION UNDER NCLB

A student or a parent may make a request that the school prohibit the military from accessing the student’s contact information, but in almost all cases the parent holds the trump card: if the student requests that his or her name and information not be disclosed and a parent later makes a written request that the school disclose it to the military, the school will disclose it.

NCLB states: “A secondary school student or the parent of the student may request that the student’s name, address, and telephone listing ... not be released without prior written parental consent, and the local educational agency or private school shall notify parents of the option to make a request and shall comply with any request.”

To opt out of the JAMRS Database, cut this form along the dotted line, fill it out, and mail it to the address listed here.

To withhold student information from recruiters, cut this form along the dotted line, fill it out, and return it to your principal.

NCLB HIGH SCHOOL OPT-OUT FORM

PROHIBITING RELEASE OF STUDENT NAME, ADDRESS AND PHONE NUMBER
TO MILITARY RECRUITERS OR MILITARY PERSONNEL

Our school may be asked to provide the names and addresses of high school students to military recruiters. I opt not to participate in this program.

Please do not disclose my/my child's contact information to the U.S. Military without my or my parent's prior permission.

I ☐ do ☐ do not want my/my child's information withheld from educational institutions and other job recruiters as well.

Date : _____

Student's Name: _____

Student's Signature: _____

or

Parent's Signature: _____

To withhold student information from recruiters, cut this form along the dotted line, fill it out, and return it to your principal.

JAMRS DATABASE OPT-OUT FORM

Dear Direct Marketing Program Officer:

Please remove all information and data regarding the following individual from the JAMRS military recruitment database:

Full Name: _____

Date of Birth: _____

Address: _____

City: _____

State: _____

Zip: _____

Signature: _____

(parent or legal guardian if individual is a minor; individual him/herself if 18 or over).

To opt out of the JAMRS Database, cut this form along the dotted line, fill it out, and mail it to the address listed here.

IS THERE ANYTHING I CAN DO TO KEEP MY INFORMATION OUT OF THE JAMRS DATABASE?

Technically, no. There is no way to keep your personal information out of the JAMRS database. But if you fill out an opt-out form and send it to the JAMRS headquarters (see attached form), the DoD will keep your name in a "suppression file," which means that the military will continue to collect information about you but it will not be able to use any of it for recruiting. Your information will remain sealed in the suppression file and inaccessible to recruiters. It's important to remember to send a new opt-out form every time you change addresses.

DO SCHOOLS HAVE TO ALLOW MILITARY RECRUITERS ON CAMPUS?

Usually, yes. Federal and state laws require that high schools give military recruiters "the same access" the schools provide to other people or groups who tell students about job or career possibilities. So if a school doesn't have any on-campus recruiting, it doesn't have to allow on-campus military recruiting. But if a school has a job fair with many employers, for example, it has to offer similar access to military recruiters.

CAN STUDENT GROUPS OPPOSED TO THE PRESENCE OF THE MILITARY MEET ON CAMPUS?

Yes--if the school allows other student groups to meet on campus. The Equal Access Act

requires that if a school allows any one non-curriculum-related student group to meet on campus, the school must give equal access to all other student groups. This includes student organizations that oppose military service or war. In protesting on-campus recruiters, students have a right to express their opinions as long as they don't disrupt classes, block hallways, or disrupt other school activities. But schools can set limits about when, where and how students can distribute materials, such as fliers or pamphlets. In general, students should let school officials know in advance if they're planning to set up a table or stand next to recruiters to distribute pamphlets, and before carrying out that action they should check the school or district's written policies on students' First Amendment rights.

CAN OUTSIDE GROUPS CRITICAL OF THE MILITARY GET EQUAL TIME ON CAMPUS TO PRESENT THEIR VIEWS?

It depends. Schools can choose to allow groups critical of the military, or those presenting opinions different from those of the military, to come on campus. In some cases, students also have the right to bring such groups to campus: if the school allows any student group to invite outside speakers, the school has to allow all student groups to invite outside speakers. And if a school allows the military to recruit on campus, it can't keep out organizations offering information about jobs in the peace movement or other career alternatives to the military.

More Information: RESOURCES ON RECRUITMENT & STUDENTS' RIGHTS

- **PROJECT ON YOUTH & NON-MILITARY OPPORTUNITIES**
<http://www.projectyano.org>
ProjYANO@aol.com
- **COUNTERRECRUITER.NET**
<http://www.counterrecruiter.net>
- **YA-YA NETWORK: YOUTH ACTIVISTS, YOUTH ALLIES**
<http://www.yayanetwork.org>
212.239.0022 | yayanetnyc@aol.com
- **AMERICAN FRIENDS SERVICE COMMITTEE**
National Youth and Militarism Project
<http://www.afsc.org/youthmil>
215.241.7176 | youthmil@afsc.org
- **UNITED STATES DEPARTMENT OF EDUCATION**
Family Compliance Office
<http://www.ed.gov/policy/gen/guid/fpc>
400 Maryland Avenue, SW
Washington, DC 20202-5901
- **YOUTH AND COUNTERMILITARISM PROGRAM**
A Project of the War Resisters League
<http://www.warresisters.org/youth>
212.228.0450 | youth@warresisters.org



New York Civil Liberties Union
Project on Military Recruitment
and Students' Rights
125 Broad St. New York, NY 10004
212.607.3300 / www.nyclu.org

NO STUDENT LEFT UNRECRUITED?



Frequently Asked Questions about Military Recruitment and Students' Rights