



Ken Slentz, Deputy Commissioner  
Office of P-12 Education  
Room 2M EB (518) 474-3862

April 23, 2013

TO: District Superintendents  
Superintendents of Public and Nonpublic Schools  
Principals of Public, Nonpublic, and Charter Schools

RE: Armed Forces Recruiter Access to Students Recruiting Information and Test Results from the Armed Services Vocational Aptitude Battery (ASVAB) Exam

Preparing all students to be college and career ready is the top priority of the Board of Regents and the New York State Education Department. Accordingly, the Regents and the Department are fully focused on improving the quality of education that every student receives to enable a successful transition to adult life. Military service is an important and viable career option for many students. To give students guidance in choosing the best post-secondary option, schools may choose to offer, on a voluntary basis, the Armed Services Vocational Aptitude Battery (ASVAB).

The ASVAB Career Exploration Program is intended for voluntary use with students in grades 10, 11, and 12, as well as students in post-secondary schools. The Program provides tools, including the test battery and interest inventory, developed by the United States Department of Defense to help high school and post-secondary students across the nation learn more about career exploration and planning.

20 USC §7908 Armed Forces Recruiter Access to Students and Student Recruiting Information requires that local school officials offer the same access opportunities to the military as they grant to post-secondary education institutions or prospective employers. This same law states that a secondary school student or the parent of the student may request that the student's name, address, and telephone listing described in paragraph (1) not be released without prior written parental consent, and that the local educational agency or private school shall notify parents of the option to make a request and shall comply with any request. For more information, please see the [Student Information Privacy Directive, P.L.107-110, § 9528\(a\)\(2\)](#) (PDF).

Therefore, school districts that elect to give the ASVAB to their high school students must notify those students and their parents or legal guardians of their right under Federal law that no personal information be released to military recruiters. A school district may adopt a general policy that no student information will be provided to any outside agencies without express approval by the student, parent or guardian.

Regarding ASVAB test results, the U.S. Military Entrance Processing Command (USMEPCOM) Regulation 601-4 identifies Option 8 which gives the results to the school and the student for guidance purposes, but keeps them private from recruiters. For more information, please see [Table 3-1 Recruiter Release Options \(USMEPCOM Regulation 601-4\)](#) (PDF). Upon the exercise of Option 8 by a district, scores from the ASVAB test will not be released to recruiters unless a signed letter of consent is received from a parent/guardian. Test results will be released only to the student and his/her counselor.

Students should then be given the opportunity to release personal and test information to selected institutions. (See New York City Department of Education, regulation of the Chancellor A-825, Armed Services Vocational Aptitude Battery (ASVAB).

For a sample of local school district guidance, please see the following regulations and policy letters below, provided courtesy of the New York City Department of Education:

- [Chancellor's Regulation A-825](#)
- [Parental and Student Opt-Out Letter and Form](#)

For further information or questions, please contact the Office of Student Support Services at [StudentSupportServices@mail.nysed.gov](mailto:StudentSupportServices@mail.nysed.gov) or (518) 486-6090.

Thank you.