

CHARLES B. RANGEL
15TH CONGRESSIONAL DISTRICT
NEW YORK

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Congress of the United States House of Representatives

November 24, 2008

Chancellor Joel Klein
New York City Department of Education
52 Chambers Street
New York, New York 10007

Dear Chancellor Klein:

It has come to our attention that the New York City Department of Education (DOE) recently revised its policy regulating military recruiters' access to high school students. While the new policy centralizes the release of student directory information to the Department of Defense and the five branches of the military, we are concerned that this change does not sufficiently protect parent and student privacy. In fact, it may even go well beyond the DOE's obligations to disclose certain information under the No Child Left Behind Act (NCLB).

The opt-out process that would keep contact information private should be as easy for parents and children as the data collection process is for the military. In fact, by giving the Department of Defense preferential access to our students in school, the DOE is at least implicitly promoting military careers without giving students a full picture of the breath of career options that lie outside of armed forces. We should do all that we can to give students as much information so that they make well-informed and quality voluntary decisions about their futures.

We call on you to immediately suspend plans to release student contact information to recruiters and instead commence a 30-day notice and comment period on the new policy so that students, parents, community members, and educators can have the opportunity to offer better ways to manage the demands of NCLB. After any necessary changes are made to the policy, the deadline to opt out should be extended by 30 additional days to ensure proper distribution and collection of opt-out forms.

Moreover, in this era of budget deficits, it is time for the DOE to stop using education funds to foot the bill for military recruitment in schools. DOE should insist that Department of Defense pay all costs associated with their requests of student contact information (including opt-out expenses) and with their presence in schools.

Due to the time constraint of the deadline for the release of student information, we would appreciate your timely response.

Below you will find concrete steps that have been put forward by elected officials, advocates, parents and students in order to ensure a safe and secure learning environment for all New York City

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PLEASE RESPOND TO OFFICE CHECKED

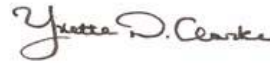
DISTRICT OFFICE
163 WEST 125TH STREET
NEW YORK, NY 10027
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students. Adopting these recommendations will make New York a leader in protecting the well-being of our students.

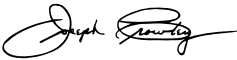
Sincerely,



Charles B. Rangel
Chairman, Committee on Ways and Means
Representative, 15th Congressional District



Yvette D. Clarke
Member, Committee on Education & Labor
Representative, 11th Congressional District



Joseph Crowley
Representative, 7th Congressional District



Gregory W. Meeks
Representative, 6th Congressional District



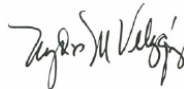
Jerrold Nadler
Representative, 8th Congressional District



José E. Serrano
Representative, 16th Congressional District



Edolphus Towns
Representative, 13th Congressional District



Nydia M. Velázquez
Chair, Congressional Hispanic Caucus
Representative, 12th Congressional District



Anthony D. Weiner
Representative, 9th Congressional District



Betsy Gotbaum
Public Advocate for the City of New York



Adolfo Carrion
Bronx Borough President



Scott M. Stringer
Manhattan Borough President



Bill Perkins,
Senator, 30th Senate District



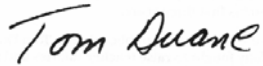
Eric T. Schneiderman
Senator, 31st Senate District



Jose M. Serrano
Senator, 28th Senate District



Adriano Espaillat
Chair, Black, Puerto Rican, Hispanic & Asian Legislative
Caucus & Committee on Veterans Affairs
Assemblyman, 72nd Assembly District



Thomas K. Duane
Senator, 29th District



Liz Krueger
Senator, 26th District



Christine C. Quinn
Speaker, NY City Council
3rd District



Inez E. Dickens
Majority Whip, NY City Council
9th District



Bill de Blasio
Education Committee
City Councilman, 39th District



Gale A. Brewer
Higher Education Committee
City Councilwoman, 6th District



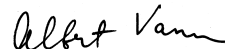
Alan Gerson
Youth Services Committee
City Councilman, 1st District



Robert Jackson
Chair, Education Committee
City Councilman, 10th District



Miguel Martinez
Higher Education & Youth Services Committee
City Councilman, 10th District



Albert Vann
Education Committee
City Councilman, 36th District



Melissa Mark-Viverito
Youth Services Committee
City Councilwoman, 8th District

SUGGESTED RECOMMENDATIONS

Issue a Chancellor's Regulation on Military Recruitment Access and Activities

- DOE must adopt a Chancellor's Regulation detailing students' right to opt out and regulating military recruiters' access to students and school premises.

Recruiter Access

- Recruiter access to schools should be limited and defined:
 - All recruiters should sign in and out on a separate sign-in sheet, which should be submitted to DOE and made publicly available.
 - Restrictions on military recruitment activities and access should be listed in the Student Bill of Rights and the Parent Bill of Rights.
 - The five branches of the military should be considered one recruiting entity. No recruiting entity should visit the school more than twice per semester.

Opt Out Distribution

- Include an opt out on the student emergency contact card and create an electronic opt out form
- Mandate time for students to read the opt out form and ask questions, thus allowing them to make an informed decision.
- Give opt out forms to *all* students, including 9th and 10th grade students
- Initiate a publicity campaign to alert students about their right to opt out.

Grievance Procedure

- Create and widely publicize an effective grievance procedure:
- Include information regarding a grievance procedure in the letter to parents.
- Develop a policy on investigating and dispatching complaints against recruiters, including a procedure where serious offenders are barred from physical access to schools. .
- Make records of complaints available to the public.

Staff Designation

- Designate one staff member at each school to be trained to assist students with recruitment issues:
- The staff member should be responsible for disseminating information about military recruitment policies, opt out forms, and physical recruiter access.
- The designated staff member should work with guidance counselors to advise students about the risks and rewards of the armed services.

ASVAB Exam (Armed Services Vocational Aptitude Battery)

The exam is funded, administered and scored by the military. It is a wide-reaching and little-regulated recruitment tool.

- The DOE should adopt a citywide policy instructing all schools that administer the ASVAB exam to choose Option 8, the information release option that keeps student information private.
- The DOE should monitor which schools are administering ASVAB on an annual basis and make this information publicly available.

Funding Responsibility

- The DOE should insist that Department of Defense should be required to pay 100% of the costs associated with military recruitment activities in New York City schools, costs which are currently borne by the DOE.