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SENATE BILL 464

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Gerald P. Ortiz y Pino

AN ACT

RELATING TO PUBLIC SCHOOLS; REQUIRING NOTICE BEFORE PUBLIC SCHOOLS RELEASE PERSONAL INFORMATION ABOUT STUDENTS TO POST-SECONDARY RECRUITERS; PROVIDING OTHER REQUIREMENTS AND LIMITATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] STUDENT INFORMATION--PRIVACY AND CHOICE IN DISCLOSURE--REQUIREMENTS AND LIMITATIONS ON POST-SECONDARY RECRUITMENT.--

A. As used in this section, "post-secondary recruiter" means a person who recruits students to enroll in a school, college or university; to join a branch of the armed services; to join a community or national service organization;

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1 or to join a business, firm or other employment.

2 B. Each school district and charter high school
3 shall develop a post-secondary recruitment policy that includes
4 the requirements of Subsection C of this section. Each of the
5 school district's high schools shall comply with the school
6 district policy.

7 C. Each high school shall:

8 (1) provide two written notifications to its
9 students and parents that explains that students and parents
10 have the right to withhold personally identifiable and
11 directory student information from any or all post-secondary
12 recruiters; provided that the second notification shall be
13 given not less than two weeks prior to the high school
14 releasing students' personal information to post-secondary
15 recruiters; and provided further that each notification shall
16 include the date on which student personal information will be
17 released to post-secondary recruiters and the method by which
18 students and parents may notify the high school of their choice
19 to withhold their personal information;

20 (2) maintain a record of students and parents
21 who choose to withhold the student's personal information from
22 all post-secondary recruiters and shall consider this
23 withholding to be the final choice of the student and parent
24 for the duration of the student's attendance at that high
25 school, unless later changed in writing by the student;

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1 (3) not release student personal information
2 to post-secondary recruiters prior to the fortieth school day;

3 (4) limit the number of visits and the total
4 hours of access to a set number of school days that do not
5 exceed six per academic year, per post-secondary recruiter;

6 (5) require advance notification of at least
7 forty-eight hours before a post-secondary recruiter is allowed
8 to visit the high school campus to engage in recruiting
9 activities;

10 (6) maintain a publicly available log of
11 post-secondary recruiters, their hosting organizations and the
12 dates and times of visits to the school campus;

13 (7) require post-secondary recruiters to
14 remain in designated locations that are publicly visible and
15 accessible, such as student centers, classrooms or cafeterias,
16 and to be supervised by school staff at all times while on
17 school property;

18 (8) require the written permission of a
19 student's parent before allowing minor students to leave a
20 school campus with a post-secondary recruiter;

21 (9) provide for equal access to all
22 post-secondary recruitment organizations, without preference to
23 any individual or group of organizations; and

24 (10) provide for informed choice and balance
25 in students' exposure to post-secondary opportunities."

