Exhibit – Frequently Asked Questions Regarding Military Recruiter Access to Students and Student Information

1. **What ~~do the U.S. Patriot Act and No Child Left Behind Act~~does the law require of schools with regard to allowing military recruiters access to students?**

   Schools receiving funds under the federal Elementary and Secondary Education Act (ESEA) must: 1) give military recruiters the same access to secondary school students as they provide to postsecondary educational institutions or to prospective employers or an institution of higher education, and 2) provide students' names, addresses, electronic mail (email) addresses (which must be the email addresses provided by the school, if applicable), and telephone listings (numbers) to military recruiters, when requested, unless parents/guardians or the student (18 years or older) have opted out (see Question 2, below). 20 U.S.C. §7908; 10 U.S.C. §503(c). Federal law requires schools to give military recruiters access to this information no later than 30 days after receiving a request from them. 10 U.S.C. §503(c)(1)(A)(iii). State law also requires schools to give access to this information, as well as students' birth dates, to military recruiters beginning on July 1, 2026, and every July 1 thereafter. 105 ILCS 5/10-20.5a.~~The Patriot Act has nothing to do with the military recruiter access to students or information. It requires schools to comply with an *ex parte* order issued in connection with the investigation or prosecution of terrorism. A court issues an *ex parte* order without notice to an adverse party. Student records may be disclosed pursuant to such an order without parents' consent or knowledge.~~

   ~~Two pieces of legislation require schools receiving funds under the Elementary and Secondary Education Act to: (1) give military recruiters the same access to secondary school students as they provide to postsecondary educational institutions or to prospective employers or an institution of higher education, and (2) provide students' names, addresses, and telephone listings to military recruiters, when requested. Those laws are:~~

   - ~~§9528 of the No Child Left Behind Act of 2001, 20 U.S.C. §7908.~~
   - ~~10 U.S.C. §503, as amended by the National Defense Authorization Act for Fiscal Year 2002.~~

2. **What information about students (and which students) must be disclosed to military recruiters by our administration?**

   Secondary schools must disclose names, addresses, email addresses, birth dates, and telephone numbers of secondary students, unless parents/guardians, or the student if the student has attained the age of 18 ("*eligible student*"), have ~~requested~~ submitted a written request that the information not be released without their prior written consent.

3. **What notification must schools provide to parents before disclosing students' names, addresses, email addresses, birth dates, and telephone numbers to military recruiters and institutions of higher education?**

   Under federal and State laws governing student records, schools must provide notice to parents of the types of student information that it releases publicly. This type of student information, commonly referred to as *directory information*, includes names, ~~addresses, and~~ birth dates, and telephone numbers. The notice must include an explanation of a parent/guardian's or eligible student's right to request that the information not be disclosed without prior written consent. Under the Elementary and Secondary Education Act~~No Child Left Behind~~ Act, schools must notify parents that the school routinely discloses names,

addresses, email addresses, and telephone numbers to military recruiters and institutions of higher education upon request, subject to a parent/guardian's or eligible student's written request not to disclose such information without written consent. Similarly, State law provides military recruiters and public institutions of higher education access to the same types of information, in addition to a secondary student's birth date, unless the student's parent/guardian submits a written request before the end of the student's sophomore year (or if the student is a transfer student, by another time set by the District) that such information not be released.

A notice provided through a mailing or student handbook informing parents/guardians and eligible students of the above information is sufficient to satisfy the parental notification requirements. The notification must advise parents/guardians and eligible students how to opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

~~If a parent opts out of providing directory information to third parties, the opt-out also applies to requests from military recruiters and institutions of higher education. For example, if the opt-out states that telephone numbers will not be disclosed to the public, schools may not disclose telephone numbers to military recruiters.~~

If a school does not release directory information, it still must provide students' names, addresses, email addresses, birth dates, and telephone numbers to military recruiters and institutions of higher education upon request. The school must notify parents/guardians and eligible students: (1) that it discloses information to military recruiters and institutions of higher education, and (2) ~~noting~~ that parents/guardians and eligible students have the right to opt ~~their children~~ out of this disclosure.

4. Does recruitment take place in a private office or out in a common area?

Neither federal nor State law addresses where recruitment takes place. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions recruiters and/or prospective employers. Federal law does not require school districts to provide military access to career fairs or similar events upon request made by military recruiters for recruiting purposes.

5. How frequently are recruiters present?

Neither federal nor State law addresses how often recruiters may have access to students. These laws only require that guidelines imposed on military recruiters be the same as those imposed on postsecondary educational institutions and prospective employers.

6. What information does a military recruiter request of students during the interview?

The type of questions military recruiters may ask students is generally not limited. Of course, students may refuse to cooperate or even refuse to be interviewed.

7. Can schools supervise recruiters to ensure they do not approach impressionable students too strongly?

Federal law does not grant authority to schools to supervise military recruiting efforts. The school may, of course, require military and postsecondary recruiters to abide by the District's policy governing conduct on school property.

8. What are parents' rights relative to military recruiters on campus?

Parents may instruct their children to forgo being interviewed by military and/or postsecondary recruiters or prospective employers.

9. What information do schools provide to families relative to recruiting that goes on at school?

Aside from the notice described in #3, neither federal nor State law addresses what information schools must provide to parents regarding the recruiting that takes place at school – this is a local issue to be determined by the Superintendent or Building Principal.

10. Where can I get more information on the requirements of 10 U.S.C. §503?

The Office of the Secretary of Defense may be contacted for copies of the statute, or questions relating to it. Please contact the Accession Policy Directorate as follows:

Director, Accession Policy
4000 Defense Pentagon
Washington, DC 20301-4000
Telephone: 703/695-5529

11. Where can I get more information on the requirements of §7908 of the ESEA?

The Student Privacy Policy Office (SPPO) in the Department of Education administers FERPA as well as 20 U.S.C. §7908. School officials with questions on this guidance, or FERPA, may contact the SPPO by submitting an online form at https://studentprivacy.ed.gov/contact or calling the SPPO's Student Privacy Help Desk at 1-855-249-9072.