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SIX THINGS THE US DEPT OF EDUCATION DID TO DEPRIVE YOUR CHILD OF PRIVACY

42 comments Public Comment 4/28 Antonia Foster, 80 Auburn PK #22

The story of Common Core and data mining begins as most stories do, with a huge, unmet need.

Self-appointed "stakeholder" know-it-alls at the federal level (also at state, corporate, and even university levels) determined that they had the right, and the need, for open access to personal student data- more so than they already had.

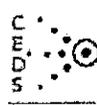
Councilor Kelley's Order #a

They needed state school systems to voluntarily agree to common data core standards AND to common learning standards to make data comparisons easy. They didn't care what the standards were, as teachers and parents and students do; they only cared that the standards would be the same across the nation.

Thank you! Or give you to tell our legislature to stop ARRA and remove US from the Coal. It's

So, without waiting around for a proper vote, they did it. The CEDS (Common Education Data Standards) were created by the same people who created and copyrighted Common Core: the Council of Chief State School Officers (CCSSO). No surprise.

Businesses are the consumers of the products of Education



Common Education Data Standards

The consumers of education are human beings + citizens

The Common Education Data Standards (CEDS) is a specified set of the most commonly used education data elements to support the effective exchange of data within and across states, as students' transition between educational sectors and levels, and for federal reporting. This common vocabulary will enable more consistent and comparable data to be used throughout all education levels and sectors necessary to support improved student achievement. The standards are being developed by NCEC with the assistance of a CEDS Stakeholder Group that includes representatives from states, districts, institutions of higher education, state higher education agencies, early childhood organizations, federal program offices, interoperability standards organizations, and key education associations and non-profit organizations. CEDS is a voluntary effort and will increase data interoperability, portability, and comparability across states, districts, and higher education organizations.

Because the federal "need" to control schools and data was and is illegal and unconstitutional - the federal government "needed" to do (and did) at least six sneaky things.

SIX SNEAKY THINGS THE U.S. DEPARTMENT OF EDUCATION DID TO DEPRIVE YOUR CHILD OF PRIVACY:

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1. Sneaky Thing Number One: It bribed the states with ARRA Stimulus monies to build 50 linkable, twinlike State Longitudinal Database Systems (SLDS). This act created a virtual national database.

These SLDS's had to be interoperable within states and outside states with a State Interoperability Framework. Utah, for example, accepted \$9.6 million to create Utah's SLDS. Think about it. All states have an SLDS, and they are built to be interoperable. How is this not a de facto national database?

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2. Sneaky Thing Number Two: It altered the (previously privacy-protective) federal FERPA (Family Educational Rights Privacy Act) law to make access to personally identifiable student data - including biological and behavioral data - "legal".

So now, the act of requiring parental consent (to share personally identifiable information) has been reduced from a requirement to just a "best practice" according to the altered federal FERPA regulations.

Under § 99.7(a), educational agencies and institutions are required to annually notify parents and eligible students of their rights under FERPA. While FERPA does not require that this notice inform parents or eligible students of individual data sharing arrangements, we believe that transparency is a best practice. For this reason, we have amended our model notifications of rights under FERPA to include an explanation of the various exceptions to FERPA's general consent disclosure rule. This change to the model notifications should help parents and eligible students understand under what circumstances, such as the evaluation of a Federal- or State-supported education program, PII from education records may be disclosed to third parties without prior written consent. The Model Notification of rights under FERPA for Elementary and Secondary Schools is included as Appendix B to this notice and the Model Notification of

For more information on this, study the lawsuit against the Department of Education by the Electronic Information Privacy Center (EPIC).

The Department of Ed also altered FERPA's definitions of terms, including what would be defined as "personally identifiable information".

"Biometric record," as used in the definition of "personally identifiable information," means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual. Examples include fingerprints; retina and iris patterns; voiceprints; DNA sequence; facial characteristics; and handwriting.

(Authority: 20 U.S.C. 1232g)

So personally identifiable, shareable information now includes biometric information, (which is behavioral and biological information) collected via testing, palm scanning or iris scanning, or any other means. Schools have not been told that the information they submit to the state SLDS systems are vulnerable to federal and corporate perusal. Legislators write bills that call for the testing of behavioral indicators- but have they considered how this can damage a student's lifelong need for, and right to, privacy?

The Department of Education openly promotes schools collecting data about students' personalities and beliefs in the report called "Promoting Grit, Tenacity and Perverserance." This document promotes the use of facial expression cameras, posture analysis seats, wireless skin conductance sensors and other measures of students' beliefs and emotions. See page 44.

3. Sneaky Thing Number Three: The US Department of Education partnered with private groups, including the CCSSO (that's the Council of Chief State School Officers -copyright holders on Common Core-) to collect

student data nationally.

The CCSSO, or "Superintendents' Club" as I like to call it, is a private group with *no accountability to voters*. This makes it in-valid and un-American, as far as governance goes. The CCSSO has a stated mission: to disaggregate student data. Disaggregate means to take away anonymity.

1. Alignment of performance goals to college- and career-ready standards.
2. Annual determinations for each school and district.
3. Focus on student outcomes.
4. Continued Commitment to Disaggregation.
5. Reporting of timely, actionable, and accessible data.
6. Deeper diagnostic reviews.
7. Building school and district capacity.
8. Targeting lowest performing schools.
9. Innovation, evaluation, and continuous improvement.

The CCSSO states that it has a mission to collect data nationally in partnership with the US Dept of Ed: "The Education Information Management Advisory Consortium (EIMAC) is CCSSO's network of state education agency officials tasked with data collection and reporting; information system management and design; and assessment coordination. EIMAC advocates on behalf of states to reduce data collection burden and improve the overall quality of the **data collected at the national level.**"

The CCSSO site states that its data collection effort is a USDOE partnership: "The Common Education Data Standards Initiative is a joint effort by CCSSO and the State Higher Education Executive Officers (SHEEO) in partnership with the United States Department of Education."

I don't recall voting for this arrangement? Do you?
(Do you recall voting for this arrangement, anyone? **Anyone?** Me neither!)

4. Sneaky Thing Number Four: It used private-public partnerships to promote data linking among agencies. The Data Quality Campaign is one example. The National Data Collection Model is another example. The Common Educational Data Standards is another example.

What do these "models" really model?

Example one: from the Data Quality Campaign: "as states build and enhance K12 longitudinal data systems they continue building *linkages* to exchange and use information across early childhood, postsecondary and the workforce and *with other critical agencies such as health, social services and criminal justice systems.*"

Let that sink in: linking data from schools, medical clinics, and criminal justice systems **is the goal** of the Federal-to-CCSSO partnership. So nothing will be kept from any governmental agency; nothing is to be sacred or private if it is known by an SLDS serving entity (any state-funded, state-accountable school).

Example two: from the National Data Collection Model:

your child's name
nickname
religious affiliation
birthdate
ability grouping
GPA
physical characteristics
IEP
attendance
telephone number

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bus stop times
 allergies
 diseases
 languages and dialects spoken
 number of attempts at a given assignment
 delinquent status
 referral date
 nonschool activity involvement
 meal type
 screen name
 maternal last name
 voting status
 marital status
 - and even cause of death.

Proponents point out that this is not *mandatory* federal data collection. True; not yet. But it's a federally partnered data model and many states are following it.

5. Sneaky Thing Number Five: The Department of Ed created grants for Common Core testing and then mandated that those testing groups synchronize their tests, report fully and often to the U.S. Department of Education, share student-level data, and produce "all student-level data in a manner consistent with an industry-recognized open-licensed interoperability standard" that is approved by the Department".

So federally funded Common Core tests require Common data interoperability standards

Check out that Cooperative Agreement document here.

Common Core is not
just Standards

But, do you think this "Agreement" information does not apply to you because your state dropped its SBAC or PARCC membership -as several states have? Think again. There is an incestuous, horrific pool of private and public organizations, all of which are VOLUNTARILY agreeing to Common Core based, technological interoperability and data collection standards!

The Data Quality Campaign lists as its partners dozens of groups- not only the CCSSO and NGA (Common Core creators), not only the College Board -which is now run by the lead architect of Common Core, David Coleman; -not only Achieve, Inc., the group that contracted with CCSSO/NGO to write the Common Core, but even the School Interoperability Framework Association, the Pell Institute (Pell Grants), Jeb Bush's Foundation for Excellence in Education, **American Institutes for Research** (Utah's Common Core testing provider) and many other Common Core product-providing organizations.

So virtually everyone's doing data **the same way** whether they're privately or publically funded. This should freak anybody out. It really should. We the People, individuals, are losing personal power to these public-private partnerships that cannot be un-elected and that are not subject to the transparency laws of elected offices.

6. Sneaky Thing Number Six: The Department of Education directly lied to the American Society of News Editors. In a June 2013 speech given to the American Society of News Editors, Secretary Duncan mocked the concerns of parents and educators who are fighting Common Core and its related student data mining:

"A new set of standards — rigorous, high-quality learning standards, developed and led by a group of governors and state education chiefs — are under attack as a federal takeover of the schools. And your role in sorting out truth from nonsense is really important... They make.. outlandish claims. They say that the Common Core calls for federal collection of student data. For the record, we are not allowed to, and we won't. And let's not even get into the really wacky stuff: mind control, robots, and biometric brain mapping. This work is interesting, but frankly, not

that interesting."

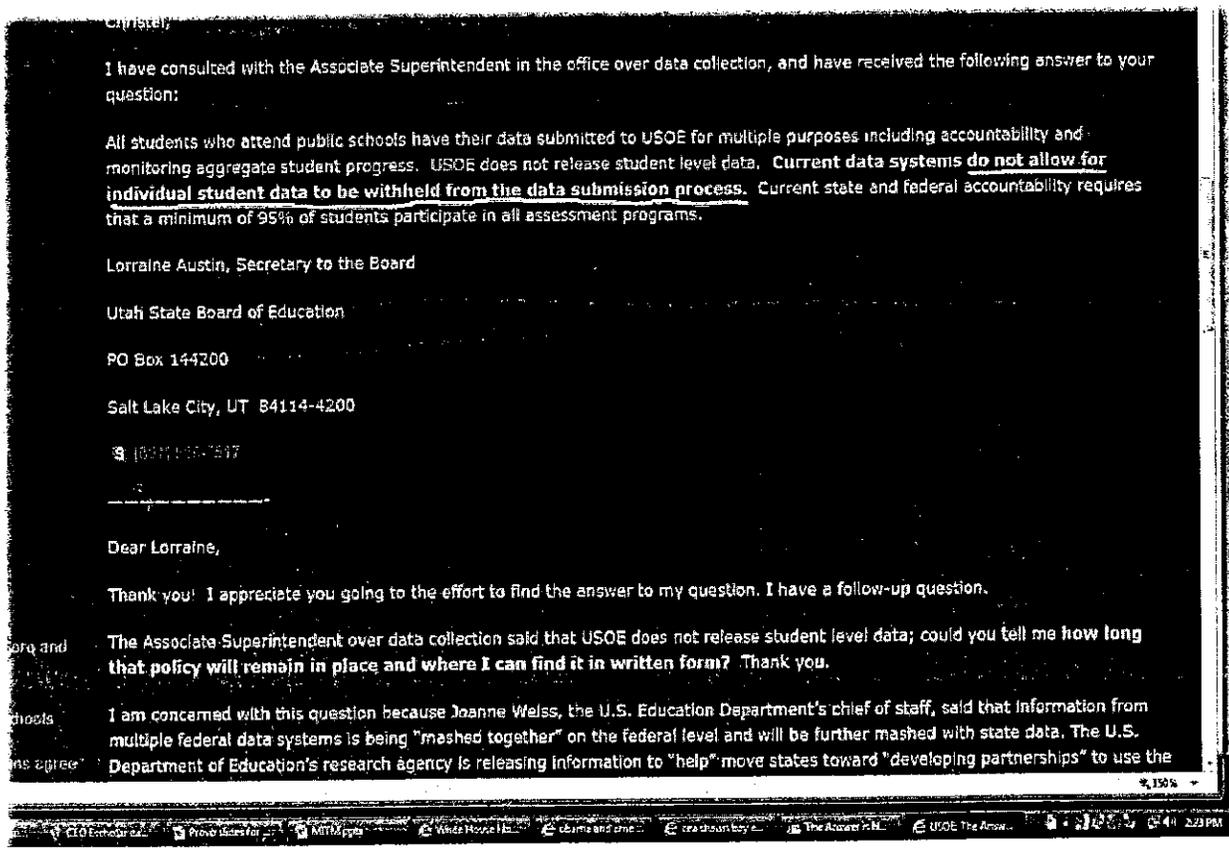
Despite what the state school board and the federal Department of Education claim, corporations do know that Common Core and student data mining are interdependent.

CEO of Escholar Shawn Bay spoke at a recent White House event called "Datapalooza." He said (see his speech on this video, at about minute 9:15) that Common Core **"is the glue that actually ties everything together"** for student data collection.

And President Obama himself has called his educational and data related reforms so huge that they are "cradle to career" -affecting reforms. Secretary Duncan now refers to the reforms not as "K-12" but as "p-12" meaning preschool/prenatal. These reforms affect the most vulnerable, but not in a positive way, and certainly not with voters' knowledge and consent.

The sneakiness and the privacy invasion isn't just a federal wrong; there's state-level invasion of local control, too: to be specific, our state's robbing parents of the right to fully govern their own children.

When I asked my state school board how to opt out of having my children tracked by the State Longitudinal Database System, I was told that the answer was no. **There was no way to opt out, they said:** all children registered in any state school system (charters, online schools, homeschool-state hybrid programs) are tracked by the SLDS. Here's that letter.



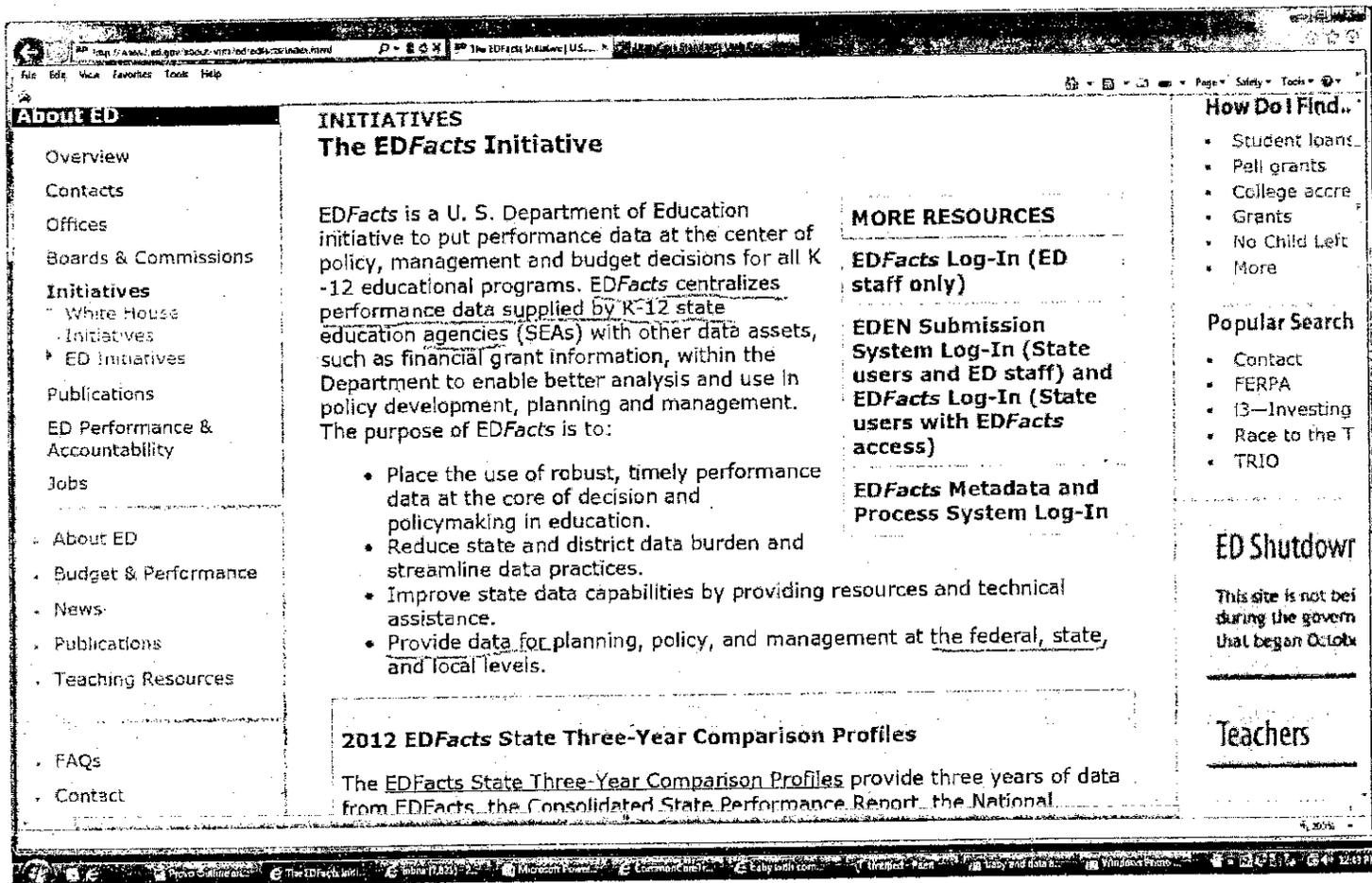
Despite Constitutional and G.E.P.A.-law prohibitions, Secretary of Education Arne Duncan admitted that "The Obama administration has sought to fundamentally shift the federal role, so that the Department is doing much more". Duncan also said, "America is now in the midst of a "quiet revolution" in school reform." (Yes, it's been

so quiet that the people governed by it weren't asked about this revolution.)

Yet, federal speeches, and scholarly research conferences and corporate marketers now **openly** push for common standards and common data systems. From the official White House website to federal educational grant applications to federally partnered corporate sites, to Secretary Duncan's speeches, there are countless examples to show that the priorities of the federal government are these four things: 1) standards 2) staff 3) "robust" national data systems 4) labeling certain schools as low-achieving.

And the data product sales companies couldn't agree more.

Common Core proponents insist that Common Core has nothing to do with data mining. But the federal government always bundles the common standards and the data systems, always. This federal push for common data standards and common education standards ought to be household knowledge. That is step number one, seeing the federal patterns and federal pushes for what they are.



So, what difference does it make? I hear people say that since they have nothing to hide, they're unconcerned about who's tracking their children or their families without consent.

I say our founding fathers didn't write the Constitution without inspiration.

The Constitution describes the God-given right to privacy:

"The right of the people to be secure in their persons, houses, papers, and searches and seizures, shall not be violated, and no warrants shall issue, but supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

How easy will it be for those with access to the national databases to label a p

and therefore, unworthy of passing a background check for a job or for a gun purchase? How easy will it be for those with access to the databases to search and seize anything at all that they deem inappropriate, that they deem threatening, that they deem *theirs*?

Privacy is not properly protected by our state school systems and those who ought to know this, don't. It's not their fault; the truth has been carefully, quietly hidden. But widespread knowledge of the facts can **-and must--** alter these facts.

Please share.

Postscript: **About Control**

State school boards tell citizens to give them feedback on the Common Core Standards, and not to discuss anything else related to Common Core or its governance structures.

But citizens have the right to determine what will be discussed; this is America. And any discussion of the standards themselves can only be very temporarily relevant.

Why is academic argument about Common Core only temporarily relevant?

Because two private D.C. trade groups, the NGA (Governors' club) and the CCSSO (Superintendents' club) own the standards and have copyrighted them. They alone control the standards. The states do not; nor do the voters in the states.

Inside the state: We can alter the standards only by 15%, according to federal mandates and the writings of the private trade groups that created the standards.

Outside the state: We have no voice in future alterations to the standards. There is no written amendment process outlined for states to have a voice in "their" standards. **There is no representative process.** That's why Common Core is unAmerican.

This is why we call Common Core education without representation. It is also accurate to call the education reform package citizen surveillance without warrant, as detailed above.