

## **Key Things the Federal Government is doing to Federalize Education**

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- 1. They plan to tie the Federal 2015 budget to Standards, Testing and Accountability**  
Arne Duncan is set to "phase out the authority of states" to control standards and testing via unilateral changes to Title 1 regulations.

The US Dept. of Ed, via Race to the Top, has created an overarching, global interoperable testing agent that "phases out state authority" over assessments. Assessment will now be real-time, embedded assessments in 1-to-1 technology. Tech companies are taking federal grants and private funding to make their technology "Common Core testing compliant." This is what the Gordon Commission meant when they said, "The Common Core Standards, and the rethinking of assessments that they are fostering, provide an opportunity to challenge [the] deeply held belief in local control."

- 2. They are tying Common Core to ObamaCare to "improve test score outcomes" via the Federally Funded Center for School Turnaround.** Utah has a 5-year contract with this Center via the federally-funded testing consortia, SBAC. (Utah's new State Superintendent was trained in this federal program and all districts are being sent through this program to be trained to track behavioral data). Test scores will determine whether schools will be restructured with new requirements for instruction, or whether they will be shut down and reopened with even more stringent federal requirements that turn the school into a community and health center. In school health centers, Federal FERPA trumps HIPPA so that children's records can be shared without parental consent.

The federally-funded ConnectEd Initiative (through the FCC) and Telehealth Network (via a federal ConnectEd grant to University of Utah) are supporting "individualized" digital learning that will track children from Birth to Workforce and tie health/mental health records to academic records.

- 3. The federal ConnectEd Initiative is funding 1-to-1 Digital Learning companies and programs in order to replace textbooks and embed formative assessments in the technology to track children at a meta-data level—bypassing district control over data.** Utah's Education Task Force is on the cusp of completely implementing the Fed's 1-to-1 policies.
- 4. They have revised Federal FERPA to allow for federal-level data collection via third-party technology.** Utah's testing agent, AIR has partnered with Google to administer formative assessments via Google Chromebooks.
- 5. They announced that they are going to start deciding what teacher colleges will receive accreditation.** (They plan to give accreditation to groups like Teach for America who have 5-week teacher training programs that support turning teachers into facilitators of technology.) They have already merged the two existing accreditation agencies into one.
- 6. They now control the College Board. The SAT and all AP Courses are being changed to support a revisionist view of America.**

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- [6] <http://www.nationalreview.com/corner/389365/time-break-college-boards-ap-testing-monopoly-stanley-kurtz>  
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## **Key Things Utah's Attorney General can do to help protect federalism:**

1. Research Recent Federal Actions to Federalize Education including federal actions that control the tripod of: Standards, Testing and Accountability tied to data collection
2. Request the State Auditor's Office to Audit the Federal dollars used to control Utah using the federal tripod, and ask the Auditor to recommend a State Sovereign Exit Strategy to Protect Federalism. Work with the State's Commission on Federalism to create a state funding solution.
3. Find legal remedies to support the Utah State Board in restoring their Constitutional authority to "generally control and supervise" Utah's education system. This might include reigning in the USOE (that now functions as a 4th branch of government at the behest of the Federal administration) by requiring all USOE policy changes and programs to be approved by Utah's State School Board and have legislative review BEFORE they are implemented (there is a law already in Utah code that requires \$500,000+ expenditures to be reviewed).
4. Find legal remedies to support parents' fundamental liberties listed in the Parents' Proclamation
5. Review changes to Federal FERPA and its affects to Utah FERPA and Federal HIPPA. Advise the State Board to ask districts to follow Utah FERPA until Congress can reign in recent federal actions.

## **Key things Utah's Congressional Delegation can do to help protect federalism:**

1. Join with the rest of Utah's Congressional Delegation and call a meeting to educate state legislators
2. Don't allow Obama's 2015 budget be tied to standards, tests, accountability (via state databases or federally-funded third party databases), etc. Defund Race to the Top, the Common Core Standards Initiative, the ConnectEd Initiative and other federal initiatives directed at dismantling local control
3. Make sure ESEA re authorization sunsets NCLB and CC
4. Restore Federal FERPA
5. Defund the College Board

## **Key Things Utah's legislators can do to help protect federalism:**

1. Strengthen and uphold parental rights to opt-out of technology and assessments
2. Evaluate all education bills by finding any potential federal drivers re funding or policy makers
3. Slow Digital Learning programs and evaluate them in light of the Federal agenda
4. Refuse to be held to Federal Accountability requirements that require data collection that controls local decisions and local funding structures
5. Push control back to Districts and allow them to create alternative pathways to college (alternatives to AP Courses) with Higher Ed that will support classical education methods