

Chairwoman Williams and Committee, thank you for this opportunity to speak to you in support of HB2513.

The Student Data Privacy Act was passed in 2014. In each of six years since then, non-parent interests have attempted to diminish or block fundamental parent authority in regard to their own children. This bill:

- Affirms and acts to prohibit the infringement of fundamental parent authority
- Supports transparency
- Takes a step to prohibit the theft of personal property
- Defends the right to individual privacy

In order to more fully understand the proposed amendments to the Student Data Privacy Act, let's take a look at what is happening in our lives, and in our children's lives.

From the earliest moments of a child's LIFE, there are agencies and non-parent interests attempting to assess children. And, this "assessing" involves LOADS AND LOADS OF DATA. Data gathering attempting to capture every conceivable aspect of a child and his family's thoughts, feelings, beliefs, and behaviors.

- From as early as birth, all manner of medical providers, daycare providers, early learning teachers, and other "interests" assess for mandated reporting to authorities and or connecting the child and his family to services.
- That nice PAT (Parents as Teachers) lady is also collecting data on each child (and family) to be included in a state database. Are parents informed of this data collection?
 - Pregnancy and delivery complications?
 - Breast fed – yes or no?
 - Caregivers ("parents"?) education levels
 - Caregivers ("parents"?) employment status and income level
 - The child's Social Emotional (SE) score
 - Observed notes of how a parent interacts with his child

It's like living in the Truman Story. We think we are having organic, genuine, and non-agenda driven relationships with the doctors, nurses, daycare providers, etc. we come in contact with. Little do we know that they have been encumbered – via the "jobs" they work at – with required "assessments" of us – the customer. Their "jobs" have been identified as useful positions to "check up on," and in many cases, actually attempt to mold and fashion our "desired" attitudes, values, and beliefs.

We've only touched on the beginning of a person's life.

This is a slide from a presentation given by Kathy Busch when she was chair of the State Board of Education. It was a report that came out of the "School Mental Health Advisory Council." Look at all of the non-parent interests that are depicted to have a stake in the "mental health needs" of children and their parents. How have we arrived at a place where families are innately considered to be at the will and business of others?



Here are Ms. Busch's notes that accompanied this slide. (Emphases added.)

STRENGTHENED STATE, REGIONAL, AND LOCAL **PARTNERSHIPS**

- It is clear that **schools** cannot address the mental health needs of students alone, and the need to forge **State and Regional partnerships** is essential.
- Each of the groups depicted in this graphic has a **seat at the table** when the School Mental Health Advisory Council meets. The process is collaborative, everyone brings a unique perspective, and everyone has a **voice**.
- And of course, at the heart of this collaborative process is the focus on **supporting children and families**.
- **School psychologists, counselors, social workers and nurses** all have a **seat at the table** as well. **Critical to the success of children and families is the collaboration and coordination of services between these three groups.** **These professionals have a unique role in understanding/connecting school system functioning, learning, mental health, and family systems.**

Who has a "seat at the table?"

Who defines "success?"

Families are "systems?" (Like a manufacturing system that takes raw materials and produces widgets?)

And, included in the "Council Recommendations" is:

Recommend the Kansas Communities that Care Survey be promoted and aligned to the Attorney General's Youth Suicide Prevention Task Force recommendations.

This is just the tip of the iceberg.

How did we get to this point? How did we end up with all these behavioral surveys, data mining, and attempt to gauge and influence people's attitudes?

This year, the focus of this law has finally turned to include Social Emotional Learning (SEL). As you have been presented, SEL has become, at a minimum, the majority of what is occurring during the school day.

Per a Superintendent of a Kansas School District:

SEL will be integrated in the curriculum; it will not be taught separately. It is not likely that a student could "opt out" of SEL curricular efforts. For to do so, would be to opt out of a **majority of the curriculum**.

SEL has been in education for decades now, but it became strongest when Congress passed the **Every Student Succeeds Act (ESSA)** in December of 2015. It was a rewrite of the Elementary and Secondary Education Act (ESEA) and the No Child Left Behind (NCLB) law. While advertised to be giving "states control over the standards," it actually grew federal control and intrusion in the very lives of every father, mother, and child. Just focusing on SEL:

- In regard to federal testing, it maintained assessments "that operate not by assessing students' academic knowledge but rather by **measuring their attitudes and dispositions**."
- Via "21st Century Community Learning Centers, ... schools will be expanded to replace family and church as the center of every child's life, offering myriad "services" including mental-health programs. Few things should alarm parents more than the prospect of the government's **assessing their child's mental health** and proceeding to fix any problem the government claims to find. But this is what the Republican Congress has given us."
- ESSA continues the federal testing mandates (Section 1005). The types of assessments dictated by the bill include **subjective assessments** of students' skills and psychological attributes under the requirement to assess higher-order thinking skills (HOTS). The HOTS include the cognitive domain, the affective domain and the psychomotor domain. Because the **affective domain** includes attitudes, feelings, values, and motivations, the federal government will be requiring assessments that target **students' psychological profiles**.

(Sources: <https://www.breitbart.com/politics/2015/12/12/rhetoric-bipartisan-every-student-succeeds-act-cant-mask-federal-control-education/> and <https://www.educationviews.org/essa-bad-america/>)

Just as grassroots researchers and mothers and fathers all across America knew the real truth behind Common Core, they knew from the outset the truth behind the ESSA.

Feds Seek Home Visits, Calling Parents “Equal Partners” <https://thenewamerican.com/feds-seek-home-visits-calling-parents-equal-partners/>

- As defined in the document, **family** means “all the people who play a role in a child’s life and interact with a child’s early childhood program or school.”
- “Ensure **constant monitoring** and communication regarding Children’s social-emotional and behavioral health.”
- “Ensure that children’s social-emotional and behavioral needs are met and that families and staff are connected with relevant community partners, such as early childhood mental health consultants and children’s medical homes.”

Obama and GOP Unleash “Community Schools” to Replace Parents <https://thenewamerican.com/obama-and-gop-unleash-community-schools-to-replace-parents/>

- Bureaucrats and institutions, including **government schools funded** under the scheme, will be **charged with providing** “social, health, nutrition, and mental health services and supports, for children, family members, and community members.”
- Family members and community members, in other words, will be targeted for government intervention, up to and including “mental health services.”

Schools Ditch Academics for Emotional Manipulation <https://thefederalist.com/2016/10/19/schools-ditch-academics-for-emotional-manipulation/>

- Under such a system teachers become essentially therapists, and students become essentially patients.
- Student **self-reporting** such as surveys, another common means of SEL data, is similarly **unreliable**.
- Incentivized by USED, states are building **massive statewide longitudinal data systems** to track every aspect of every student from cradle to, or through, their career.
- Thus, unreliable **data** collected from making guesses about students’ emotional states will presumably be entered into the database, to **live in eternity**.

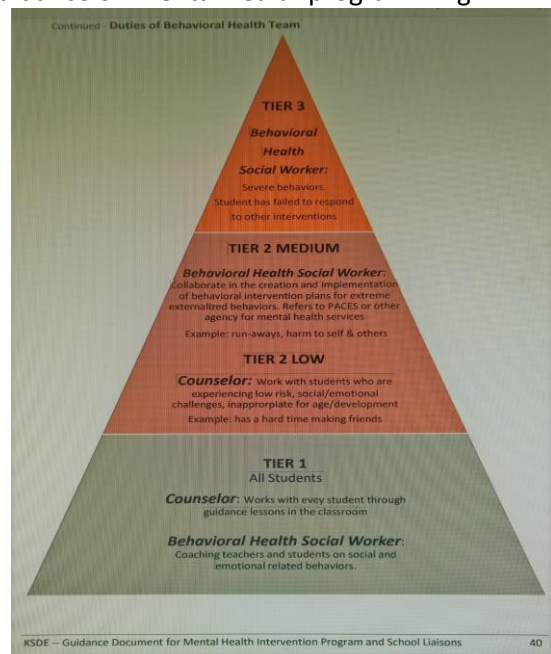
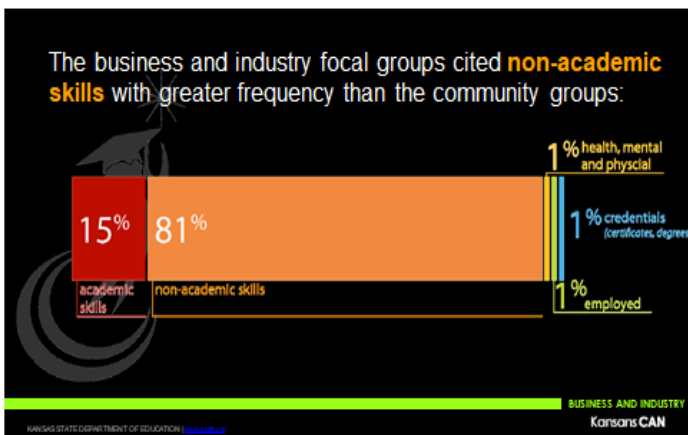
More Schools Discard Student Privacy in Elusive Quest for Safety <https://thenationalpulse.com/2019/06/18/more-schools-discard-student-privacy-in-elusive-quest-for-safety/>

- Particularly disturbing are efforts to **monitor students’ social media posts** and combine them with the myriad of other data collected on students regarding behavior, discipline, legal encounters, and family status to try to **predict** violent or suicidal behavior.
- Securly

Is there any consideration as to the kids that are harmed by SEL?

KSDE has its Social Emotional Character Development (SECD) standards.
Randy Watson presents:

KSDE guidance on mental health programming:



What tools and mechanisms are used in the schools to accomplish all of this? Sure, there are physical means in the forms of paper surveys, tests, evaluations, etc. But, let's not forget the technology based mechanisms.

The main instrument used to get all this in the schools is via the **technology in every classroom** and the **devices given to every child** to be used 24/7. (Yes, that's well outside the normal school week.)

- BrainPOP
 - o "Adaptive" applications:
 - The applications "nudge" children to desired outcomes that have been programmed into the software
 - Outcomes = answers to questions
 - To change mindsets, if the child doesn't answer a question correctly, the question changes based on the previous answer, and may do so repeatedly, until the child is **nudged** to the correct (desired) answer.
- Canvas Learning Management System
 - o Canvas "parses and aggregates more than 280 MILLION rows of **usage data** generated DAILY."
 - o Everything the user (child) does is captured
 - o Discussions, keystrokes, time stamps, hesitations, etc.
 - o **Predictive** analytics
 - o Profiles of every child

Who all has access to the data?

How can the data be used?

Is the data ever expunged or does it last in perpetuity?

What do we know about technology and its effects on children?

THE JANUARY 1994 ISSUE OF THE EFFECTIVE SCHOOL REPORT CARRIED AN ARTICLE entitled "Alternative Assessment of Student Achievement: The Open Book Test" by Thomas A. Kelly, Ph.D. An excerpt follows:

All classroom tests should be open book tests.... We are moving toward higher level thinking and away from memorization of facts. Give them the facts. Once we leave school, we can use references any time we want. We are no longer required to memorize endless lists of facts, formulas, etc. Open book tests will move school activities much closer to real life activities. The **human brain should be used for processing, not storage.**

[Editor's (Charlotte's) Note: Initially the writer's reaction to this quote was disbelief, and then plain revulsion over what can only be referred to as a pervasive mindset found in those **educators who have been "transformed" into managers of the learning process, total quality technicians**, etc. A true understanding of the significance of Dr. Kelly's statement came to me only after GenYvette Sutton, a fine researcher from Pennsylvania, made the following perceptive comments as part of her contribution to a video entitled "The Truth behind Outcome-Based Education" in which this writer also participated. In the segment of the video dealing with the **dangers of Skinnerian operant conditioning used in computer programming**, the new emphasis on critical thinking, and Dr. Kelly's comments regarding the **brain being used for processing and not for storage**, Sutton said:

True education should expand **all the faculties of the mind: memory, conscience, imagination, insight, intuition and brain**. When you **just process** information, you **deny or cut off** those **other functions** of the mind and reduce it to the brain alone, which is **just simply [responding to stimuli]**. The **danger** is unbelievable....

Columbia Teachers College held a symposium on "Knowing: How We Come to Know Things" and how important this is. Some speakers said that **much that is being done in education** denies these other functions of the mind and **reduces them to the [responsive] brain alone**. They reminded us that **those other functions—memory, conscience, imagination, insight, and intuition—are the functions by which we know absolutes and truths, [discern right from wrong], and are able to know God**.

Outcome-based education, because it concentrates on the "end product" of its process, can be said to **restrict the student's mental functioning to the level Kelly described as "processing."** The **predetermined goals and outcomes prevent** the student from using brain functions which make him **unique as a human being**. Success in an outcome-based environment is restricted to performing prescribed tasks to the point of **automaticity**. The functions of **memory and creativity are not used, nor are they considered necessary** to succeed in an OBE program or any program that uses Skinnerian mastery learning or direct instruction. **Predictability** is the bottom line for OBE, limiting the student to only those responses which are prescribed. **When trained by OBE methodology, the student cannot fail unless he employs creativity and produces an unpredicted response**. In an OBE environment, **he can believe only that which is acceptable**. The most predictable outcome, over time, is **frustration—and ultimately, low achievement and behavior problems**. We should be reminded that **robots**, although generally reliable, have **no feelings** and are **not governed by conscience**.

What a chilling thought.]

(Source: *The Deliberate Dumbing Down of America* by Charlotte Thompson Iserbyt)(Emphases added.)

In April 2015, a Clinical Counselor and Neuro Therapist working with children and adolescents spoke at the Shawnee Mission School District board meeting:

I understand the brain. I have done hours of research on the **effects of technology on the brain**.

What you will see if a moderation approach is not used:

Educationally

Decreases in comprehension, long-term memory, grades and test scores with an increase in overall student dissatisfaction, and in teachers spending time managing technology and student misuse of technology.

Behaviorally and Morally

Increases in cyber-bullying, increased agitation and anger, increases in cheating and increased multi-tasking

Mentally

Increases in diagnoses and recommendations for medications, ADHD-like behaviors, students being easily side-tracked, decreased attention span, and impulse control problems

Increases in **depression, anxiety, suicidal ideation and completion**

But, we're still assessing academic achievement, right? We have the NAEP, National Assessment for Educational Progress, right? Let's take a look at NAEP:

The top behavioral scientists of the world were in Pennsylvania in 1965 formulating the Pennsylvania EQA which was the model for the national test, NAEP (National Assessment of Educational Progress.)

Pennsylvania was the "affective" test for the nation that **tested attitudes and values**.

<https://newswithviews.com/Hoge/anita102.htm> (Emphases added.)

"The NAEP assessment is a sampling of students from each state to gauge the change in children's values and attitudes towards government, family, God — everything," said Ms. Iserbyt. "That's what Common Core is, only now they're using computers instead of books."

<https://americanfreepress.net/education-program-conditions-kids-to-accept-government-as-god-parents-need-to-get-involved-to-halt-hijacking-of-education-system/> (Emphases added.)

In conclusion, as **the parents**, we do not find that state education innately supports parent authority by obtaining explicit parent permission for their child to participate in school district technology systems, data generation, assessments, and any programs, partnerships, reporting, and initiatives of the schools. Parents are not allowed to protect their child from the theft of their personal property (the very essence of who they are), or protect them from the dangers of SEL.

The US Supreme Court has recognized that the liberty clause in the 14th Amendment guarantees the **fundamental right of parents to direct the education and upbringing of their children**:

1972, Wisconsin v. Yoder (406 U.S. 205) – The Court described parental rights as fundamental: "This primary role of the parents in the upbringing of their children is now established as an enduring American tradition."

The State of Kansas formally passed a parental rights act:

K.S.A. & 38-141. (b) It shall be the public policy of this state that parents shall retain the fundamental right to exercise primary control over the care and upbringing of their children in their charge. It is further the public policy of this state that children shall have the right to protection from abuse and neglect.

Prior to passage of the Student Data Privacy Act and in proposed changes to that act in years since, it has been and continues to be preferred by non-parent interests that there exist more "**passive**" parent associations between parents and their own children, rather than parents "**actively**" protecting and directing the up-bringing of their own children. Non-parent interests favor passive parenting over full, active parenting.

I ask that you fully and strongly support the inherent and superior authority of parents to protect their children's minds and property, and direct their education – not passively, but actively.

The right of parents to direct the upbringing and education of their child to the sole benefit of their child must be upheld over the interests of the state and federal governments, the education establishment and business.

Lisa Huesers
THE Parent