

ESEA ALERT

ESEA VIOLATES PRIVACY & USURPS PARENTAL RIGHTS

Parents and Citizens of the United States Are Requesting a Formal Investigation Into the Reauthorization of ESEA, S. 1177 and HR 5 IMMEDIATELY. The following issues must be investigated and pursued to protect our American children, their teachers, and our schools.

- ESEA expands Common Core standards to non-academic/non-cognitive standards in the area of social, emotional, and behavioral character traits to determine personality/behavioral weaknesses of students to participate or qualify for these mental health programs that are in the affective domain. These standards are subjective and vague and must be challenged.
- ESEA encourages labeling of students as having mental, behavioral, or emotional problems to maximize funding reimbursements that are billed to MEDICAID through EPSDT and AT RISK- defined disabilities and categories in S. 1177 and HR 5.
- ESEA does not provide adequate consent for participation of children in mental health screening and interventions and resultant coding that may be placed on the student's record including DSM codes (Diagnostic and Statistical Manual for Mental Disorders) for mental health disabilities. The Protection of Pupil Rights Amendment is flagrantly being violated and Senator VITTER has introduced a bill to weaken further FERPA (Family Education Rights in Privacy Act) and PPRA (Protection of Pupil Rights Amendment).

- ESEA expands current and future costs for taxpayers and state legislatures enormously in that EVERY child will be identified as at-risk and in need of psychological/ mental health services by re-defining poverty, at risk, Title I, special education services, and disabilities.
- ESEA criteria expands the definition of specialized student instructional support allowing MEDICAID to become a major funding source for contracting and/or hiring and expanding services of psychologists, psychiatrists, counselors, and social workers, or similar types of providers at taxpayer expense in the schools and expanding state MEDICAID budgets to provide psychological and psychiatric services replacing academic content at school. [See Representative Tim Murphy (PA-R) proposed legislation, HR 3717.]
- ESEA aligns NCES/IES (National Center for Education Statistics/Institute for Education Sciences) to monitor and siphon data from local education agencies without any regard to the adequacy of confidentiality safeguards through state longitudinal data systems that do not protect personally identifiable information and data records. (Note: FERPA has been "unlocked" by President **Obama's Executive Order 12866**. Personally identifiable information is accessible to 3rd party contractors that expanded standards into the affective domain in which psychometric dossiers flows without the knowledge or consent of parents. State longitudinal data systems are in place in every state in which individuals are identified through a unique national ID creating psychometric dossiers and data shared without parental consent. S. 1177 and HR 5 and the Vitter 'No Privacy' bill will codify the current weakened FERPA.
- ESEA must be stopped from violating federal law by expanding the types of formative assessments (NAEP and NAEP state clones and consortiums), tests, surveys, screening, which include embedded psychological and psychiatric techniques that request personal and sensitive information that violate Individual and family privacy. Personal data collection replaces academic subjects.

- ESEA does not have sufficient safeguards with regard to the impact on families and students who are not in the traditional special education categories of having a disability, yet are receiving intervention/psychological services. The question remains of how this will impact their futures with mental health coding on their records.
- ESEA HAS not been EXPLAINED in sufficient details about the fiscal impact of changes in Federal law, regulation, policy, and state regulation relating to curriculum, non-cognitive learning outcomes, mental health treatment, interventions, and support services. ESEA mandates affective and behavioral standards which in turn is a direct re-development of software, curriculum, teacher training relating to personal, social, emotional, behavioral change and personality change of students, and how that impacts and realigns the focus of education away from academics toward mental health which has been deceptively marketed to the public. The question of due process of a child not being manipulated in the classrooms of America. Violations of Privacy, Civil Rights, and the PPRA remain to be answered which violates Constitutionally protected rights. An investigation must ensue immediately and General Counsel must intervene to stop this abuse until further study.