

Support HB 5555 IF AMENDED

*HB 5555 AN ACT CONCERNING THE MINIMUM BUDGET REQUIREMENT AND
PROHIBITING THE INCLUSION OF PARTICIPATION RATES FOR THE STATE-WIDE
MASTERY EXAMINATION IN THE CALCULATION OF A SCHOOL DISTRICT'S
ACCOUNTABILITY INDEX SCORE.*

Representative Fleischmann, Senator Slossberg and respected members of the CT Education Committee, I write to present my testimony in SUPPORT of HB 5555 IF AMENDMENED.

HB 5555 appears to remove “opt out” punishment from the MBR- Minimum Budget Requirement and the Accountability Index. However, sanctions still exist within the CATEGORY requirements. Higher “opt out” rates would contribute to a district dropping a category. In turn, moving the school towards seizure and affecting property values.

I support HB 5555 only **IF** amended to remove **all** participation rate penalties, to include the accountability index, Minimum Budget Requirement AND the CATEGORY requirements.

The CT State Department of Education appears to be taking direction from the US DOE in believing the state must sanction low participation rates. When in fact, the US DOE has no Constitutional authority to impose these punishments or withhold state funding. The CT State Dept of Education also, does not have the authority to withhold funding from districts. If they did, they would not have had to ask the legislation for that authority in HB 175, currently before the legislature.

[Article I, Sec. 8 of the U.S. Constitution specifically enumerates the powers granted to Congress, and it does not grant authority to Congress to directly regulate education at all. According to the Ninth and Tenth Amendments, all powers and rights not specifically granted to the federal government are reserved to the states and to the people. Congress can only act constitutionally by offering funding to states in a contractual arrangement of sorts in exchange for the state's *voluntary* agreement to conditions attached to acceptance of the funding. If the state does not want to agree to the conditions, the state does not need to do so. It can just say no to the funding and the conditions]

On Monday 2/29/16, the CT SDE met with Superintendents of low participation districts. The SDE assumed authority they do not legally have. The department gave erroneous and misleading information regarding SBAC (Smarter Balanced Assessment Consortia) and threatened to withhold funds to districts with low participation rates. Thus, creating a downward pattern of coercion onto teachers, parents and children. CT parents and taxpayers look to you to stop these abusive practices.

Please see:

- Attorney Stevenson’s press release (also available at CTparentalRightsCoalition.weebly.com)
- 2 minute video, youtube, “CT State Department of Education, Reaction to Informed Parent”
- Jonathan Pelto, “Incredulous:Watching CT Department of Education Officials Lecture School Administrators on How to Mislead Parents”

I appreciate that the Education Committee will hear what the SDE would not-*why* parents refuse to submit our children to the SBAC test. Then, and ask if *any* sanctions are ethical. Simply, we want our children safe. Participation in SBAC poses harm and it is our inalienable right to protect our children from perceived harm.

SBAC:

- Scientifically invalid and unreliable to perform as per its intended use
 - collects highly sensitive, psychological and behavioral information (without informed, parental consent)
 - collects personally identifiable information (PII)
 - This data is *not* HIPPA protected
 - Data and PII leave the state, cloud stored
 - Shared and/or provided access to the US DOE and at least 22 subcontractors
 - goes on life long, “cradle to grave”, permanent record
 - can be self-incriminating, discriminatory and limit life choices
 - can be accessible to third parties and vendors
 - predetermined failure rate
 - tied to teacher evaluation, putting inappropriate burden of an adults job security on a child
 - tied to district ratings and property values, putting inappropriate burden on a
 - discriminates against minorities, special education and lower income population
 - Deemed an “illegal interstate compact”, in violation of interstate compact clause requiring Congressional approval, Judge issued restraining order against membership payments.
 - Pending lawsuits suits exist in 5 states (MI, SD, ND, ID, WV)
 - Based on invalid and experimental standards
 - developed and analyzed by AIR, American Institute of Research, psychological and behavioral researchers with foundations in eugenics
 - cannot be used as a “standardized” measure of anything. It is “adaptive”, changing as it is used.
- No two tests are the same

CT parents are well informed. We act within our inalienable right to protect our children. I am confident that the Education Committee would support our decision and also seek to keep CT children safe and deem sanctions completely unwarranted. The sanctions are also outside of the SDE’s charge. CT’s Essa waiver expires this August 2016, giving you a small window of opportunity. I respectfully ask the Education committee to act now, within your authority to **amend HB 5555 to remove *all* punishments for protecting our children and refusing inappropriate and unethical high stakes practices.**

Thank you for your commitment to the safety and education of CT children.

Respectfully,
Cheryl Hill