



**PETITION FOR REDRESS OF GRIEVANCES**

**RELATED TO A VIOLATION OF THE CONDITIONS  
OUTLINED IN TITLE 15 OF THE STATUTES OF THE  
STATE OF ARIZONA RELATING TO CONDITIONS AND  
REQUIREMENTS FOR THOSE ENGAGED IN THE  
ADMINISTRATION OF OUR PUBLIC AND CHARTER  
SCHOOLS AND TO THE ADOPTION OF THE  
'NATIONAL' EDUCATION STANDARDS KNOWN AS  
COMMON CORE**

**WE THE PEOPLE OF THE UNITED STATES AND THE STATE OF ARIZONA**, by and through the unalienable, individual Rights guaranteed by the Declaration of Independence and the Constitution for the United States of America and the Constitution of the State of Arizona, hereby Petition the Governor of the State of Arizona, The President of the Senate of the State of Arizona, The Speaker of the House of the State of Arizona, the Superintendent of Public Instruction of the State of Arizona, the Chairman of the Board of Education of the State of Arizona and each Governing Board for each of the Independent School Districts in the State of Arizona for Redress of our Grievances, to honor their Oaths or Affirmations of office and their Constitutional obligations by responding to this Petition within forty (40) days, providing a formal acknowledgement of its receipt with a rebuttal of its legal arguments and statement of facts, or demonstrating a good faith effort to comply with its remedial instructions.

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**WHEREAS**, by the terms and conditions of the Declaration of Independence and Constitution for the United States of America and the State of Arizona, We the People have expressly established a republican form of government, empowering it to act only in certain ways, while purposely and patently restricting and prohibiting it from acting in certain other ways without Amendment, and;

**WHEREAS**, The State Legislature and the Governor of the State of Arizona enacted into law under Section (Title) 15 of the Arizona Statutes certain terms and conditions upon which those, including the Legislature of the State of Arizona, the State Board of Education, the Superintendent of Public Instruction for the State of Arizona The County Superintendents of Public Instruction and the independent Governing Boards administering to the various public school districts and charter schools operating within the State of Arizona, will administer the terms and conditions for the education of the children of said State of Arizona.

**WHEREAS**,

In 2010 the Governor, the Superintendent of Public Instruction, a State Senator and a County Superintendent of Public Instruction negotiated a Grant with the Federal Department of Education (a totally unconstitutional government body) to obtain a waiver from the Federal Program known as One Child Left Behind (also unconstitutional) in exchange for adopting a “National Standard” known as Common Core in exchange for \$25,000,000 from the Federal Race to the Top program (again another unconstitutional program).

**WHEREAS**,

Thereafter The State Board of Education adopted the standard Common Core for Kindergarten through 2<sup>nd</sup> Grade and passed that system down to the independent local School Governing Boards for adoption even though the new Standards were not in step with the Arizona Standard test known as A.I.M.S for which passage was a requirement for graduation from both Elementary School and High School in Arizona.

**WHEREAS**,

Article 11 of the Constitution of the State of Arizona defines the responsibility for the management of the State’s public schools, to wit:

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2. Conduct and supervision of school system

Section 2. The general conduct and supervision of the public school system shall be vested in a state board of education, a state superintendent of public instruction, county school superintendents, and such governing boards for the state institutions as may be provided by law.

WHEREAS,

The Arizona Statute, Title 15 are provisions passed by the Arizona Legislature and signed into law by the Governor of the State which layout certain procedures relating to the adoption of any new system or material by the State Board of Education, the Superintendent of Public Instruction and the independent Governing Boards of the local public school districts. The provisions of these statutes were not followed by any of the above named governmental bodies that serve We the People of Arizona, to wit:

**Section 15-102 delineates what is required of the Governing Board of each School District as follows:**

- A. The governing board, in consultation with parents, teachers and administrators, shall develop and adopt a policy to promote the involvement of the parents and guardians of children enrolled in the schools within the school district, including:**
- 1. A plan for parent participation in the schools which is designed to improve parent and teacher cooperation in such area as homework, attendance and discipline.**
  - 2. Procedures by which parents may learn about the course of study for their children and review learning materials, including the source of any supplemental educational materials.**
  - 3. Procedures by which parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used. Objection to a learning material or activity because it questions beliefs or practices in sex, morality or religion.**
  - 4. Procedures by which parents may learn about parental rights and responsibilities under the laws of this state, including the following:**

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- (c) The right to opt out of assignments pursuant to this section.**
  - (f) The minimum course of study and competency requirements for graduation from high school prescribed in section 15 701,01**
  - (h) The right to review test results pursuant to section 15-743.**
  - (j) The right to access instructional materials pursuant to section 15 730.**
  - (m) The right to public review of courses of study and textbooks pursuant to section 15 721**
  - (o) Policies related to parental involvement pursuant to this section.**
  - (q) The right to participate in a parental satisfaction survey pursuant to section 15 353.**
- 5. The promotion of communication between the school and parents concerning school programs and the academic progress of the parent' children.**
- 7. Efforts to support, with appropriate training, parents as shared decision makers and to encourage membership on school councils.**
- 8. The recognition of the diversity of parent s and the development of guidelines that promote widespread parental participation and involvement in the school as various levels.**

Section 15-113 of the State of Arizona Statute states the following:

A. A Parent of a student in a public educational institution has the right to review learning materials and activities in advance. A parent who objects to any learning material or activity **on the basis that the material or activity is harmful** may request to withdraw that student from the activity or from the class or program in which the material and request an alternative assignment.

Section 15-203, Powers and Duties:

A. The State Board of Education shall:

- 9. Prepare, publish and distribute reports concerning the educational welfare of this state.

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10. Prepare a budget for expenditures necessary for proper maintenance of the board and accomplishment of its purposes and present the budget to the legislature.
12. Prescribe a minimum course of study in the common schools, minimum competency requirements for the promotion of pupils from the third grade and minimum course of study and competency requirements for the promotion of pupils from the eighth grade. **The State Board of Education shall prepare a fiscal impact statement of any proposed changes to the minimum course of study or competency requirements and, on completion, shall send a copy to the director of the joint legislative budget committee and the executive director of any school facilities board. The State Board of Education shall not adopt any changes in the minimum course of study or competency requirement in effect on July 1, 1998 that will have a fiscal impact on the school capital costs.**
13. Prescribe minimum course of study and competency requirements for the graduation of pupils from high school. **The State Board of Education shall prepare a fiscal impact statement of any proposed changes to the minimum course of study or competency requirements and, on completion, shall send a copy to the director of the joint legislative budget committee and the executive director of the school facilities board. The State Board of Education shall not adopt any changes in the minimum course of study or competency requirements in effect on July 1, 1998**
16. Adopt rules governing the methods for the administration of all proficiency examinations.
17. Adopt proficiency examinations for its use. The state board of education shall determine the passing score for the proficiency examination.
18. Include within its budget the cost of contracting for the purchase, distribution and scoring of the examinations as provided in paragraphs 16 and 17 of this subsection.
21. Establish an assessment, data gathering and reporting system for pupil performance as prescribed in Chapter 7, article 3 of this title.
25. Develop and maintain a handbook for use in the schools of this state that provides guidance for the teaching of moral, civic and ethical education.

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The handbook shall promote existing curriculum frameworks and shall encourage school districts to recognize moral, civic and ethical values within instructional and programmatic educational development programs for the general purpose of instilling character and ethical principles in pupils in kindergarten programs and grades one through twelve.

39. Adopt rules to define competency-based educational pathways for college and career readiness that may be used by schools. The rules shall include the following components:
- (a) The establishment of learning outcomes that will be expected for students in a particular subject matter.
  - (b) A process and criteria by which assessments may be identified or established to determine if students have reached the desired competencies in a particular subject matter.
  - (c) A mechanism to allow pupils in grades seven through twelve who have demonstrated competency in a subject matter to immediately obtain credit for the mastery of that subject matter. The rules shall include a list of applicable subjects, including the level of competency required for each subject.

**15-351. School councils; duties; membership**

A. The purpose of this section is to ensure that individuals who are affected by the outcome of a decision at the school site share in the decision making process.

**15-701. Common School; promotions; requirements; certificate; supervision of eight grades by superintendent of high school district; high school admissions; academic credit.**

- A. The state board of education shall:
- 1. Prescribe a minimum course of study, as defined in section 15-101 and incorporating the academic standards adopted by the state board of education to be taught in the common schools.
  - 2. (a) A requirement that a pupil not be promoted from the third grade if the pupil obtains a score on the reading portion of the Arizona Instrument to Measure Standards Test, or a successor test, that demonstrates that the pupil's reading falls far below the third grade level.

**15-721. Common schools; course of study; textbooks, definitions**

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- A. The governing board shall approve for common schools the course of study, the basic textbook for each course and all units recommended for credit under each general subject title prior to implementation of the course.
- B. If any course does not include a basic textbook, the governing board shall approve all supplemental books used in the course prior to approval of the course.
- C. If any course includes a basic textbook and uses supplemental books, the governing board may approve all supplemental books and teaching aids, including instructional computer software, that are used in the course prior to approval.

**WHEREAS,**

On March 28<sup>th</sup>, 2013 the Governor of the State of Arizona signed into law HB 2425 which passed both houses basically doing away with the AIMS test but did not consider a cost impact study (as required by 15-203 sub paragraphs 12 and 13) nor any alternative test (Section 15-701) to the one implemented by this same body in 2007 ostensibly to measure the proficiency of the students in the public and charter schools in Arizona.

**NOW THEREFORE:**

**WE THE PEOPLE** *do hereby seek the following Remedies and Instruct the Governor, the President of the Senate, The Speaker of the House, the Superintendent of Public Instruction, the Chairman of the State Board of Education and the respective Governing Boards for the various Public School Districts and Charter Schools operating within the State of Arizona to respond to this Petition as follows:*

- 1. Action on the part of the Governing Boards of Education:
  - a. To adhere to the terms outlined above under Title 15-102 Sub Paragraphs 1,2 & 7 to initiate parental participation in any decision that relates to the implementation of Common Core or the PARCC test.
  - b. Provide each parent or guardian with an “Opt Out” form as outlined in Title 15-102 Sub Paragraph 7 (c), (f), (h), (j),(m), and (q).
  - c. As outlined in sub paragraphs 5,7 & 8, promote communication between the school and parents concerning the pros and cons of Common Core and PARCC , support a

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program of ‘shared decision making’ with parents and develop guidelines that promote widespread parental participation and involvement in this decision.

- d. Section 15-721 deals with Common schools; course of study; textbooks; definitions...provide evidence of the affects of moving to Common Core and the PARCC testing on these requirements and what changes have or will be made as a result.

### 2. Action on the part of the State Board of Education, the State Superintendent of Public instruction and the County Superintendants of Public Instruction:

- a. In accordance with 15-211 Paragraph A, provide a comparison between Common Core and current systems for K-3 reading programs and the ability of each to improve the reading proficiency of the pupils.
- b. Provide each school district and charter school’s comparison pursuant to 15-211 Paragraph B.
- c. In accordance with 15-203 sub paragraphs 12 & 13, provide an analysis of the ‘minimum course of study in the common schools, minimum competency requirements for promotion of pupils from the third grade and minimum course of study and competency requirements for the promotion to the eight grade and minimum course of study and competency requirement for the graduation of pupils from High School, regarding what is being done at present and how Common Core will impact these...together with a detailed Cost Impact Study.
- d. In accordance with 15-203 sub paragraph 17, provide a comparison between current proficiency examinations and those to be employed by PARCC .
- e. In accordance with 15-203 sub paragraph 21, provide a comparison between current assessment, data gathering and reporting systems for pupil performance and those to be employed by PARCC.
- f. In accordance with 15-203 sub paragraph 25, provide the current ‘handbook’ and the one that reflects the affects of Common Core and PARCC.
- g. Draw a parallel between that which is outlined in 15-203 sub paragraph 39 (which describes the SAT testing) and PARCC.



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- h. Section 15-351 states that the State Board of Education ensures that individuals who are affected by the outcome of a decision at the school site share in the decision making process. Describe in detail how this was accomplished when Common Core was implemented in 2010.
- i. Section 15-701 describes the prescription of a minimum Course of study...what will be the impact of the adoption of Common Core and PARCC on this process? Some provisions of the AIMS test remains in the requirement and a detailed procedure for the apparent parallel testing program needs to be quantified for all to see.

### 3, Action by the State Legislature, the Governor, the State Superintendent of Public Instruction and the County Superintendents of public Instruction:

- A. Section 15-792 the State Legislature declares the purpose and policy and finds that it is in the interest of the State to greatly increase the proportion of students who enter high school leave with the skills needed to compete effectively in the economy and/or enter into college with work readiness. Provide evidence that the adoption of Common Core and PARCC will indeed improve these areas.
- B. Sub paragraph C states that the State Board of Education's adoption of rules to carry out the purposes of this section and shall select college and career ready examinations and that those examinations shall be selected to provide data to pupils, there families and schools regarding the pupil's level of preparation for entry into a college and career ready pathway in high school. Has either the State Legislature or the Governor reviewed the changes that an adoption of Common Core and the PARCC testing will enhance this objective compared to what was in place? If not why not?
- C. Failing the satisfaction of the above provisions contained in Title 15 at all levels of school government, the State Legislature and the Governor acted irresponsibly in voting on, passing and signing of HB 2425 as amended and any further implementation of this revised statute must be suspended or reversed until all of the provisions outlined above have been met with the satisfaction of our respective elected representatives and We the People.













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