

WRITTEN TESTIMONY OF RYAN C. MACPHERSON, PH.D.
OPPOSING THE PROPOSED 2011 MINNESOTA SOCIAL STUDIES STANDARDS

SUBMITTED TO
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I. EXPERTISE FOR TESTIMONY CONCERNING SOCIAL STUDIES K-12
STANDARDS

My name is Ryan C. MacPherson. I hold a Ph.D. in History and Philosophy of Science from the University of Notre Dame and presently serve as Chair of the History Department at Bethany Lutheran College, Mankato, Minnesota, where I have taught for the past ten years. As department chair, I oversee curricula and instruction for the B.A. in History, the B.A. in Broad Field Social Studies, and also the history coursework that satisfies state standards for licensing teachers at both the elementary and secondary levels. I teach introductory survey courses in American history as well as specialized upper-division courses, including: the Era of the American Revolution; the U.S. Constitution and Early Republic; the American Civil Rights Movement; and the Supreme Court and the American People. In 2010, I was a featured instructor for Rich in American History, a continuing education program for Minnesota middle-school teachers of social studies that was funded by the U.S. Department of Education. My own collection of classic biographies, primary texts, and study questions was recently published in a 700-page college-level textbook entitled *Rediscovering the American Republic* (2012). I also am senior editor of *Family in America: A Journal of Public Policy*. I have been interviewed concerning American history for two documentary films and also have been interviewed for radio talk shows. I have been consulted for curricular planning by several nonprofit organizations. I also am the parent of four children, two of whom are of school age.

II. INTRODUCTION TO THE PROBLEM AND SUGGESTED REMEDY

The proposed *Minnesota K-12 Academic Standards in Social Studies* (2011;

Draft for Rule Making, rev. February 17, 2012¹) (hereafter, “2011 Proposal”) departs dramatically from the currently effective *Minnesota Academic Standards in History and Social Studies* (May 15, 2004²) (hereafter, “2004 Standards”). The sharp contrast between the two sets of standards can be readily demonstrated by answering one simple question.

Question: Can you name three things that the following people have in common?

Julius Caesar, Charlemagne, Joan of Arc, Christopher Columbus, Leonardo da Vinci, Martin Luther, Henry VIII, Elizabeth I, William Penn, Thomas Paine, Sacagawea, Chief Joseph, Abraham Lincoln, Elizabeth Cady Stanton, Theodore Roosevelt, Adolph Hitler, John F. Kennedy, Margaret Thatcher, and Osama bin Ladin

Answer: First, they all *contributed significantly* to major historical events; second, they all were *included* in the 2004 Standards; third, they all are *omitted* from the 2011 Proposal.

The 2011 Proposal also *removes all references* to Emperor Constantine and the founding of Constantinople, to the signing of the Magna Carta, to the Thirty Years’ War and the Treaty of Westphalia, and to the Battle of Gettysburg and the Gettysburg Address—all of which were included at least as Examples in the 2004 Standards. Indeed, “the establishment of Constantinople” was furthermore a mandatory Benchmark in the 2004 Standards (Benchmark III.D.1, at p. 29), as were “the Magna Carta, which influenced American constitutional government” (Benchmark VII.C.1, at p. 71) and the Battle of Gettysburg (Benchmark I.F.[1].1, at p. 6).

Of course, history is about more than just names and dates. The most troubling aspects of the 2011 Proposal run deeper than the *systematic excision of core historical*

1 <http://education.state.mn.us/MDE/Welcome/Rule/ActiveRule/SocStudies/index.html>

2 <http://education.state.mn.us/MDE/EdExc/StanCurri/K-12AcademicStandards/>

figures and events from the mandatory Benchmarks for learning outcomes. Ultimately, the 2011 Proposal fails to satisfy both its legislative mandate and the intentions stated in the introduction to the proposal, which include “preparat[ion] for college and the highly skilled workplace” (2011 Proposal, p. 9). Although the Statement of Need and Reasonableness³ (“SONAR”) prepared by the Minnesota Department of Education (“MDE”) claims that the 2011 Proposal is consistent with the standards currently adopted in other states, the particular states which the MDE cites as “exemplary” in fact have standards that match the Minnesota’s 2004 Standards. The 2011 Proposal, by contrast, departs from that strong consensus and instead proliferates misinformation subversive to the U.S. Constitution, which, if adopted as an academic standard, would compromise the constitutional oath of the commissioner of education.

The immediate remedy is obvious: retain the 2004 Standards and reject the 2011 Proposal unless and until the 2011 Proposal is revised to address the concerns presented in this testimony and similar testimony by other interested parties. Appendix A suggests specific amendments to expedite the process of conforming the 2011 Proposal to its stated goals, legislative mandate, and the pedagogical consensus of Minnesota’s 2004 Standards in tandem with other states.

III. STANDARD OF REVIEW

A. ADMINISTRATIVE RULE-MAKING PROCEDURE

Minn. Rules 1400.2240, subpart 2, requires that “The judge or chief judge must review the hearing record and must disapprove the rule if the judge makes any of the findings in part 1400.2100, items A to G.” Minn. Rules 1400.2100(A)-(G), in turn,

³ <http://education.state.mn.us/MDE/Welcome/Rule/ActiveRule/SocStudies/index.html>

requires that:

A rule must be disapproved by the judge or chief judge if the rule: ... B. is not rationally related to the agency's objective or the record does not demonstrate the need for or reasonableness of the rule; ... D. exceeds, conflicts with, does not comply with, or grants the agency discretion beyond what is allowed by, its enabling statute or other applicable law; [or] ... E. is unconstitutional or illegal ...

The following testimony identifies inadequacies of the 2011 Proposal with respect to each of the above-quoted criteria: the proposed rule is *not* rationally related to the agency's objective; the proposed rule does *not* demonstrate reasonableness; the proposed rule *exceeds* the agency's authority; and the proposed rule *violates* the constitutions of Minnesota and of the United States. Therefore, the administrative judge is bound by the rules of administrative justice to reject the proposal.

B. MATERIAL RELATION OF PROPOSED STANDARDS TO PROPOSED BENCHMARKS AND TO PROPOSED EXAMPLES

The 2011 Proposal document includes three classes of pedagogical guidelines: Standards, Benchmarks, and Examples. As will be shown in Section V, below, the Standards and Benchmarks indicate what must be taught, but the MDE also has furnished Examples to illustrate how it might be taught. As the MDE explains:

Many of the benchmarks include examples that clarify the meaning of the benchmark or indicate the level of student understanding. The examples may suggest learning activities or instructional topics. In all cases, however, the examples are optional and are NOT intended to be directives for curriculum or a comprehensive fulfillment of the benchmarks. (SONAR, 10)

At the December 20, 2012 oral hearing, representatives of the MDE emphasized that “only the Standards,” and not the Benchmarks or Examples, are presently under consideration for adoption. However, neither the regulatory power of the Benchmarks nor the illustrative value of the Examples should be underestimated.

The Examples imbedded in the 2011 Proposal document represent an official interpretative gloss of the Standards and Benchmarks. The Examples furthermore constitute a set of *de facto* guidelines for compliant implementation of the mandatory Standards and Benchmarks. It is reasonable to expect that curriculum developers and teachers will fall back on these Examples when preparing instructional units. Therefore, it is relevant to compare the Examples employed in the 2004 Standards with those of the 2011 Proposal, even if the importance of the Examples is subordinate to that of the Standards and Benchmarks. Indeed, attention to the Examples is necessary precisely because their importance is subordinate, since one of the concerns emphasized in this testimony is that the 2011 Proposal relegates what used to be mandatory content (Standards or Benchmarks) to optional content (Examples).

Therefore, Benchmarks and Examples will be cited throughout this testimony in order to evaluate the integrity of the Standards that constitute the proposed rule. The three component function as a unit and must, therefore, be considered in relation to one another.

IV. THE 2011 PROPOSAL FAILS TO SATISFY LEGISLATIVE MANDATES AND STATED PURPOSES

A. OVERVIEW OF LEGISLATIVE MANDATES

Minnesota state law identifies three mandatory objectives for public education: “The mission of public education in Minnesota, a system for lifelong learning, is to ensure [1] individual academic achievement, [2] an informed citizenry, and [3] a highly productive work force.” (Minn. Rev. Stat. 120A.03 (2012)) The legislature also specifically mandates that academic standards be developed and implemented for “social studies, including history, geography, economics, and government and

citizenship.” (Minn. Rev. Stat. 120B.021, subdiv. 1)

These “academic standards must: (1) be clear, concise, objective, measurable, and grade-level appropriate; (2) not require a specific teaching methodology or curriculum; and (3) be consistent with the Constitutions of the United States and the state of Minnesota.” (Minn. Rev. Stat. 120B.021, Subd. 2(b)) Education also must be “rigorous,” and “to that end the commissioner [of education] shall adopt in rule statewide academic standards,” such that “all commissioner actions regarding the rule must be premised on the following: (1) the rule is intended to raise academic expectations for students, teachers, and schools,” etc. (Minn. Rev. Stat. 120B.02(a)-(b))

The legislature further requires that the commissioner:

must supplement required state academic standards with grade-level benchmarks. ... The benchmarks must implement statewide academic standards by specifying the academic knowledge and skills that schools must offer and students must achieve to satisfactorily complete a state standard. The commissioner must publish benchmarks to inform and guide parents, teachers, school districts, and other interested persons and to use in developing tests consistent with the benchmarks. (Minn. Rev. Stat. 120B.023, Subdiv. 1)

The currently effective 2004 Standards presently are under review, with the MDE proposing that they be replaced by the 2011 Proposal. State law requires that “During each review cycle, the commissioner also must examine the alignment of each required academic standard and related benchmark with the knowledge and skills students need for college readiness and advanced work in the particular subject area.” (Minn. Rev. Stat., 120B.023, Subd. 2)

B. OVERVIEW OF STATED PURPOSES

The MDE acknowledges its responsibility to develop rules that promote at least

some of the objectives specified by the legislature. “The purpose of the proposed social studies rules is to provide updated academic standards that reflect college and career readiness skills, practices of citizenship, and best practices in the social studies disciplines.” (SONAR, p. 1) “Minnesota state law reflects the college and career readiness trend in education. As required by law, the standards identify the academic knowledge and skills that prepare students for postsecondary education, work and civic life in the twenty-first century.” (SONAR, p. 25)

However, the MDE has been less than clear as to its intention to conform, or not, to other aspects of the legislative mandate. For reasons to be explained below, it is questionable whether the 2011 Proposal satisfies the criteria of being “rigorous” or of “rais[ing] academic expectations for students, teachers, and schools,” in comparison with the 2004 Standards. (Minn. Rev. Stat. 120B.02(a)-(b)) Additional concerns will be identified below as to the mandate that standards be “clear,” “objective,” and “grade-level appropriate.” (Minn. Rev. Stat. 120B.021, Subd. 2(b))

C. FAILURE TO SATISFY CIVIC, COLLEGE, AND CAREER PREPARATION
GENERALLY

The excision of core historical persons from the Standards, Benchmarks, and Examples provides strong *prima facie* evidence that the 2011 Proposal fails to comply with both legislative mandate and its own stated purposes regarding the preparation of students for civic participation, college enrollment, and career success. As I stated in my letter requesting the December 20, 2012 public hearing:

The 2011 proposal surprisingly relegates the Renaissance to a merely optional *Example*, whereas in 2004 the Renaissance appeared in multiple mandatory *Standards* and *Benchmarks*; the 2004 rules in fact classified several *Standards* under the title “Renaissance and Reformation,” whereas the 2011 proposal marginalizes both of these important movements of

world history and requires, obliquely, that students “understand that hemispheric networks intensified as a result of innovations ... [during the years] 600-1450,” a *Standard* for which not a single *Benchmark* specifically requires any knowledge whatsoever of the Renaissance. Strangely, the 2011 proposal adds as *Examples* a number of relatively obscure historical persons and events, while jettisoning all references, present in the 2004 *Examples*, to Confucius, Julius Caesar, Charlemagne, Joan of Arc, Christopher Columbus, Leonardo da Vinci, Martin Luther, Henry VIII, Elizabeth I, William Penn, Thomas Paine, Sacagawea, Chief Joseph, Abraham Lincoln, Elizabeth Cady Stanton, Theodore Roosevelt, Adolph Hitler, John F. Kennedy, Martin Luther King Jr., Mao Zedong, Margaret Thatcher, and Osama bin Laden. Cultural literacy requires that a person be familiar with at least most of these individuals, who together represent a diverse spectrum of our international and American heritage. Such cultural literacy is foundational for multiple career paths, as well as for civic participation more broadly, not to mention a wide variety of college majors in the humanities and social sciences.

The burden of proof should rest upon the MDE to demonstrate that the 2004 Standards called for too high a level of cultural literacy, such that by lowering the bar the 2011 Proposal nonetheless still satisfies legislative mandate. This burden is all the weightier in view of the legislature’s specific requirement that proposed revisions must ensure a “rigorous” education and be “intended to raise [not to lower] academic expectations for students.” (Minn. Rev. Stat. 120B.02(a)-(b))

D. FAILURE TO PROVIDE LEARNING OUTCOMES THAT ARE “CLEAR,”
“OBJECTIVE,” AND “GRADE-LEVEL APPROPRIATE”

“Academic standards must: be clear, concise, objective, measurable, and grade-level appropriate.” (Minn. Rev. Stat. 120B.021, Subd. 2(b)(1)) The 2011 Proposal fails to meet these requirements, whereas the 2004 Standards are more clear, more objective, and more grade-level appropriate in several instances.

As for clarity, the 2004 Standards require that students “understand the causes and consequences of emerging civilizations and increased contact across the cultural regions of Eurasia and Africa.” (Standard III.D, at p. 26) The corresponding section of

the 2011 Proposal reads, rather awkwardly: “Hemispheric networks intensified as a result of innovations in agriculture, trade across longer distances, the solidification of belief systems and the development of new multi-ethnic empires while disease and climate change caused sharp, periodic fluctuations in global population.” (History Standard 9, at p. 15) The 2011 Proposal later claims that “post-World War II United States was shaped by an economic boom, Cold War military engagements, politics and protests, and rights movements.” (History Standard 22, at p. 16) To say that “post-World War II United States was shaped by ... politics” is to say hardly anything at all. Perhaps the MDE intends for students to learn about the profound political realignment of that era, as groups that long had been Republicans (for example, African Americans) became Democrats, and groups that long had been Democrats (for example, white Southerners) became Republicans?

As for objectivity, the 2011 Proposal includes several strained interpretations. For example, the 1920s are said to be characterized by “political apathy,” which hardly seems appropriate for the first decade in which women could vote nationally; in any case, the proposed wording also hints that supposed apathy somehow contributed to the Great Depression, which is a controversial hypothesis to say the very least. (History Standard 21, at p. 16) A more obvious bias can be found in History Standard 20, which claims that “the rise of big business, urbanization, and immigration led to institutionalized racism.” (2011 Proposal, p. 16). How, then, to explain the existence of racism in the institution of slavery prior to industrial and corporate growth? And was it not often the case that ethnic labor unions transformed large corporations into agencies of cultural assimilation? A more objective standard also would avoid employing the derogatory jargon “big business” that the MDE has so childishly inserted into the 2011

Proposal.

Bias against entrepreneurial capitalism is promoted again in Economics Standard 8, which asserts that “Market failures occur when markets fail to allocate resources efficiently.” (2011 Proposal, p. 13). Such a claim ignores the potential of government intervention to exasperate rather than alleviate market struggles. A more objective educational standard would take into account, for example, the analysis of Federal Reserve Board economist Hui Shan, who attributes the “housing bubble” and the subsequent mortgage foreclosure crisis not to a failure of markets to allocate resources, but rather to a misguided set of federal policies—tax reforms, in particular—that artificially stimulated an unsustainable demand for housing.⁴

As for being grade-level appropriate, the 2004 Standards ensure a foundational knowledge of key historical persons and events during the lower grades in order that students will be equipped, by the upper grades, to progress into evaluative and analytical thinking. The 2011 Proposal, by contrast, thins out the body of foundational knowledge and expects, unrealistically, that children at the lower grades already are equipped to make evaluative judgments. The likely outcome will be that students will absorb the biased perspectives imbedded in the new standards, rather than become equipped to debate meaningfully the core elements of social studies.

E. OVERSTATEMENT OF NEED AND MISCHARACTERIZATION OF
FEDERAL MANDATE

The MDE has mischaracterized the federal mandate, insinuating quite presumptively that the state’s failure to adopt the 2011 Proposal would result in a loss of

⁴ Hui Shan, “The Effect of Capital Gains Taxation on Home Sales: Evidence from the Taxpayer Relief Act of 1997,” *Journal of Public Economics* 95, nos. 1–2 (2011), <http://papers.ssrn.com/sol3/papers.cfm>.

federal funding. The MDE claims: “If the state does not adopt academic Social Studies standards, it risks the loss of federal funding” (SONAR, p. 15, with reference to the No Child Left Behind (NCLB) Act). But the MDE has failed to demonstrate that the currently adopted 2004 Standards materially fall short of NCLB requirements⁵ or that the 2011 Proposal excels comparatively in its compliance with federal requirements or that the 2011 Proposal represents a less burdensome method of compliance than other viable alternatives, such as retaining the 2004 Standards or modifying the 2004 Standards less radically than what the 2011 Proposal recommends.

The MDE has also failed to note that state law does *not* include social studies standards as “standards” in the sense defined by federal law. “For purposes of applicable federal law, the academic standards for language arts, mathematics, and science apply to all public school students.” (Minn. Rev. Stat. 122B.021, subd. 1) Nor does the Minnesota mandate for periodic review (Minn. Rev. Stat. 120B.023, subdiv. 2(a) and (f)) necessitate the adoption of the 2011 Proposal as such. The review process could instead result in the adoption of an alternative to the 2011 Proposal. The burden therefore should fall to the MDE to prove that the 2011 Proposal, replete with the inadequacies identified in this testimony, somehow fulfills legislative requirements better than the 2004 Standards. In the spirit of compromise, I offer suggested amendments in Appendix A that would, on the one hand, revise the 2004 Standards while, on the other hand, avoid the pitfalls presented by the most problematic aspects of the 2011 Proposal.

⁵ At best, the MDE has suggested that NCLB requires Minnesota to adjust the multi-grade “bands” of benchmarks into grade-level specific benchmarks, which would involve only a relatively minor adjustment of the 2004 Standards. SONAR, p. 27.

V. THE 2011 PROPOSAL DEPARTS FROM WHAT EVEN THE MDE RECOGNIZES AS “EXEMPLARY” STANDARDS OF OTHER STATES

The proposal committee states that it “consulted ‘exemplary’ standards from other states,” listing as particularly helpful for K-12 the standards from Virginia, Massachusetts, Texas, Indiana, California, and Michigan, plus Arizona for K-5. (SONAR, 11) The resulting 2011 Proposal, however, departs remarkably from the consensus of those states’ standards. In fact, the standards of those other states have more in common with the 2004 Standards of Minnesota than with the 2011 Proposal.

A. BY ELIMINATING CORE CONTENT

Most obviously, the 2011 Proposal eliminates core content that is present in both the 2004 Standards of Minnesota plus the standards of other “exemplary” states. As illustrated in Appendix B.1, the 2011 Proposal lacks, but the standards of other states include, mandatory coverage of the Magna Carta, Abraham Lincoln, Martin Luther King Jr. and Rosa Parks. Minnesota’s 2004 Standards also included such major persons and events in world and American history. For example:

Grades K-3, I.B. in 2004 Standards, p. 3:

Standard: The student will recognize people and events that made significant contributions to U.S. History.

Benchmark: Student will know individuals and groups associated with key turning points in U.S. History.

Examples: George Washington and the American Revolution; Abraham Lincoln and the Civil War; Lewis and Clark and the Corps of Discovery; Susan B. Anthony and the Women’s Suffrage movement; Rosa Parks and the Civil Rights movement; military veterans and service to country.

Grades K-3, III.C., in 2004 Standards, p. 24:

Standard: The student will recognize individuals or groups that have shaped the world

Benchmark: Students will become familiar with people who have made cultural (scientific, artistic, literary, and industrial) contributions to world history, and analyze the significance of their contributions.

Examples: Leonardo da Vinci, Michelangelo, Johann Gutenberg, Jonas Salk, William Shakespeare, Mahatma Ghandi, Marie Curie

Grades 4-8, VII.A., in 2004 Standards, p. 68:

Standard: The student will recognize the importance of individual action and character in shaping civic life.

Benchmark: Students will identify people who have dealt with challenges and made a positive difference in other people's lives and explain their contributions.

Examples: George Washington, Benjamin Franklin, Harriet Tubman, Abraham Lincoln, Martin Luther King, Jr., Chief Joseph of the Nez Perce, Sequoyah, George Washington Carver, Claire Barton, Frederick Douglass, Abigail Adams, Rosa Parks, and other world figures, America's founders and framers, local and state leaders

The SONAR document attempts to justify the streamlining of history in the 2011 Proposal by claiming that teachers reportedly have too little classroom time to fulfill the numerous 2004 Standards. (SONAR, p. 21) The SONAR document does not, however, address alternative remedies, such as an increase of classroom time or a more efficient use of classroom time (for example, through cross-curricular integration, such as teaching the Gettysburg Address as both a social studies and a language arts lesson). In fact, the MDE explicitly dismisses the pedagogical value of increasing time allotted to social studies beyond fifteen minutes per day as being less important than “*what type of social studies education they receive*” (SONAR, pp. 6, 21) The 2011 Proposal nevertheless *adds new suggested content* to its thinned-out standards, sample content not present in either the 2004 Standards of Minnesota nor in the “exemplary” standards

of other states. (See Section V.E., below, for examples.) The burden of proof must remain with the MDE to demonstrate that if time is so precious, legislative mandates for social studies education—such as preparation for civic participation, college enrollment, and career success—are being served by reducing core content and replacing it with obscure examples.

B. BY JETTISONING WESTERN CIVILIZATION

The 2004 Standards require that a social studies education include coverage of Western Civilization, including hallmark developments such as the Renaissance and Reformation.⁶ The 2011 Proposal eliminates these requirements, urging so extensive a revision as to expunge entirely all references to “Western Civilization.” “Renaissance” appears only once, being relegated to a mere “Example” (9.4.3.9.7, in 2011 Proposal, p. 124). No mention is made of Leonardo da Vinci, Michelangelo, or any other person associated with the Renaissance. And for what, exactly, is “Renaissance” suggested as an example in the 2011 Proposal? Students must “understand that: Hemispheric networks intensified as a result of innovations in agriculture, trade across longer distances, the solidification of belief systems and the development of new multi-ethnic empires while

⁶ Standard III.E (2004): “Western Civilizations, Renaissance and Reformation 1000 AD – 1700 AD: The student will demonstrate knowledge of important historical, cultural, and social events in Europe during the Middle Ages.”

Benchmark III.E.1 (2004): “Students will demonstrate knowledge of the Renaissance in Europe.” Example 1: “...Leonardo da Vinci, Michelangelo...”

Benchmark III.E.3: “Students will demonstrate knowledge of the Reformation including important figures of the era.” Example 3: “...Martin Luther, Pope Leo X, John Calvin, Henry VIII...”

Standard III.F (2004): “Emergence of a Global Age, 1450 AD-1800 AD: The student will demonstrate knowledge of development leading to the Renaissance and Reformation in Europe in terms of its impact on Western civilization.”

Benchmark III.F.1 (2004): “Students will identify and analyze the economic foundations of the Renaissance.” Example 3: “...Leonardo da Vinci, Michelangelo...”

Benchmark III.F.4 (2004): “Students will analyze the short- and long-term effects of the religious, political and economic differences that emerged during the Reformation.” Example 4: “...Martin Luther, John Calvin, Henry VIII, Elizabeth I...”

disease and climate change caused sharp, periodic fluctuations in global population between 600 and 1450 CE.” (Standard 9.4.3, in 2011 Proposal, p. 124). Given that the assigned period (600-1450 CE) ends two years before the birth of Leonardo da Vinci (1452) and twenty-five (yes, 25) years before the birth of Michelangelo (1475), it is unclear even how the Renaissance might function as an “Example” of one of the “Hemispheric networks [that] intensified as a result of innovations ... between 600 and 1450 CE.”

“Reformation” appears only once in the 2011 Proposal, being removed from the standards and relegated to Benchmark 9.4.3.10.1, which says nothing more than “Describe the Reformation and Counter-Reformation; analyze their impact throughout the Atlantic world.” No mention is made of Martin Luther, Pope Leo X, John Calvin, Henry VIII, Elizabeth I, or any other person associated with the Reformation; the 2004 Standards reference each of these historically significant persons.

The MDE claims to have followed the lead of “exemplary” states in revising Minnesota’s standards. However, the same states the MDE identifies as exemplary include much clearer emphasis—as in the 2004 Standards—that significant developments in the West, such as the Renaissance and Reformation, have shaped both world and American cultural heritage. See [Appendix B.2](#) for examples.

C. BY DIMINISHING NATURAL RIGHTS

The 2004 Standards emphasize as a fundamental American principle that the purpose of government is to protect people’s natural, inalienable rights to life, liberty, and property; the 2011 Proposal recasts this history as the pursuit of generic and ever-evolving “individual rights,” relegating the founding principle of natural rights to the status of an “idea.”

The 2004 Standards required that “Students will describe the principles expressed in the Declaration of Independence, including inalienable rights and self-evident truths, and how these principles influence the development of United States constitutional government.” (Benchmark VII.C.3, in 2004 Standards, p. 71). This Benchmark came with the suggested Examples of “Rights to life, liberty and pursuit of happiness, right to institute new government, consent of the governed, natural rights, Lincoln’s use of the Declaration in the Gettysburg Address.” (Example VII.C.3.3, in 2004 Standards, p. 71)

The 2011 Proposal refers only once to “inalienable rights,” relegating this fundamental principle to a mere example: “... social contract, inalienable rights, individual rights ...” (Benchmark 5.4.4.17.5, Example, in 2011 Proposal, p. 52)

The 2011 Proposal instead elevates the more subjective category of “individual rights” to a standard: “The United States is based on democratic values and principles that include liberty, individual rights, justice, equality, the rule of law, limited government, common good, popular sovereignty, and minority rights.” (Standard 7.1.2.3, at p. 67; cf. Standard 9.1.2.2, at p. 97).

Natural, inalienable rights do not even receive mention in the proposed 2011 Benchmark or Example section for the preceding standard; in fact, the Benchmarks implicitly deny that natural, inalienable rights exist at all, since the Benchmarks encourage lessons on “how they [the founding principles] have evolved” (Benchmark 7.1.2.3.1, in 2011 Proposal, p. 67) and the “changing circumstances and beliefs” associated with “fundamental societal values” rather natural rights founded upon an enduring human nature (Benchmark 9.1.2.2, p. 97).

John F. Kennedy affirmed in his inaugural address of 1961 that “the rights of man

come not from the generosity of the state, but from the hand of God.” Kennedy acknowledge natural rights, as did Thomas Jefferson and his contemporaries, and Abraham Lincoln and his contemporaries. The 2011 Proposal, however, privileges subjectively defined individual rights over the natural rights of life, liberty, and property. Other states, nonetheless, retain the pattern that Minnesota adopted in 2004 in calling for students to distinguish between natural rights and less fundamental rights. See Appendix B.3 for examples.

Refugees from other countries know the difference. Recall that Alexandra Matyja, who grew up in a communist country, testified at the December 20, 2012 hearing that Americans must take care not to forsake their special heritage, a heritage of “national sovereignty, personal responsibility, independence, the American Republic, [and] American values” that she found preserved in the 2004 Standards but abandoned in the 2011 Proposal.

D. BY RESTATING HISTORICAL EVENTS WITH AMBIGUITY AND ERROR

As was noted in Section V.B, above, the 2011 Proposal not only marginalizes the Renaissance, but when it does include it as a possible example, it is placed out of its proper chronological position. Unfortunately, the 2011 Proposal also contains many other errors and other problems that might generously be termed “ambiguities.”

For example, the 2004 Standards require instruction concerning “Political Unrest and the American Revolution 1763- mid-1791.” (Standard Category I.D., at p. 5) This accords well with the consensus of historical scholarship concerning the American Revolution: following the Treaty of 1763 that concluded the French and Indian War, relations between Britain and America soured, with the Americans declaring independence in 1776, achieving international recognition of their independence with

the Treaty of 1783, ratifying the Constitution in 1788, and ratifying the Bill of Rights in 1791.

The 2011 Proposal revamps this period into: “The divergence of colonial interests from those of England led to an independence movement that resulted in the American Revolution and the foundation of a new nation based on the ideals of self-government and liberty between 1754 and 1800.” (Standard 17, in SONAR, p. 65) This proposed revision departs from the consensus of historical scholarship. It misleadingly speaks of a “divergence of colonial interests from those of England” commencing in 1754, when in fact England and the English colonies in America were allied from 1754 through 1763 against the French in the aforementioned war. At the conclusion of that war (1763), patriotism in the English colonies toward England was at its zenith. “Interests” did not “diverge” until afterward, as Parliament commenced taxing the colonists without their consent (for example, the Stamp Act of 1765) in order to pay off the war debt. Nevertheless, even this “divergence of interests” (marked in the following years by the Boston Massacre and so forth) did not constitute an “independence movement” as the revised standard would have it. As late as 1775, colonial leaders still generally viewed themselves as loyal citizens under the British constitution who were asserting their rights as free Englishmen by redressing their grievances with the Crown and Parliament. Not until Thomas Paine published *Common Sense* in January 1776 did Americans seriously entertain the notion of emancipating themselves from the King.

In addition to restating certain historical events with ambiguity and error, the 2011 Proposal in at least one instance requires that students learn something with greater precision than the scholarly consensus supports. The first content Standard in world history is revised to state: “Environmental changes and human adaptation

enabled human migration from Africa to other regions of the world between 200,000 and 8000 BCE.” (History Standard 6, in SONAR, p. 60) Although the MDE admits that “this is a period of history that we know relatively little about,” specific dates are nonetheless embedded into this mandatory standard (SONAR, p. 60). Teachers, however, will discover that textbooks differ considerably on the chronology of prehistorical events, from one publisher to the next and even from one edition of a book to the next edition. The 2004 Standards accommodate this level of uncertainty within the historical profession by requiring that students learn about the “Beginnings of Human Society” (with no dates mandated) followed by “Classical Civilizations and World Religions 1000 BC-600 AD.” (2004 Standards, p. 5) The 2004 Standards of course include specific references to early migration patterns across the continents, agricultural developments, and the formation of political systems. The 2011 Proposal adds nothing, except for a layer of presumptive chronology that may render the revised standard difficult to implement in view of the discrepancies within both the scholarly literature and available teaching materials.

E. BY PROMOTING AN IDEOLOGICALLY NARROW SET OF EXAMPLES

The 2011 Proposal calls for a narrowing of students’ historical awareness. As noted earlier, major persons and events of world and American cultural heritage are omitted. Instead of learning, concretely, which persons have influenced major events and how, students under the 2011 Proposal are to understand, abstractly, that “the civic identity of the United States is shaped by historical figures.” (Standard 5.1.2.2, at p. 45) Who might such historical figures be? The faces of four influential Americans are carved into Mt. Rushmore: George Washington, Thomas Jefferson, Abraham Lincoln, and Theodore Roosevelt. They represent three periods of American history, and four distinct

political parties. Two of them, however, receive no mention in the 2011 Proposal: neither Abraham Lincoln nor Theodore Roosevelt are even so much listed as Examples for how a Benchmark might demonstrate that a Standard has been satisfied. The other two people—Washington and Jefferson—appear only in the following suggestion of the 2011 Proposal: “Historically significant people might include George Washington, Thomas Jefferson, James Madison, Alexander Hamilton,” etc. (Example 5.1.2.2.1 (2011), p. 45, emphasis added)

“Might” include? Does the State of Minnesota really intend to adopt revised standards for social studies teachers that would fail to require that students know anything about the author of the Declaration of Independence and the first president of the United States? Oddly, the 2011 Proposal does not insert the qualifier “might” when listing in its Example of “individuals or groups who have had an impact on world history” Vang Pao (an American Hmong leader), Muhammad Yunus (the inventor of micro-loans), and Aung San Suu Kyi (a Burmese political reformer). (Example 3.4.2.5.1, at p. 36) How perplexing that Confucius, Queen Victoria, Mao Zedong, and Martin Luther King Jr., each are featured in the 2004 Standards, but not one of them appears in the 2011 Proposal.

What could be the rationale behind the dramatic shift in content between the 2004 Standards and the 2011 Proposal? It appears that an anti-colonialist political philosophy undergirds the revisionist project. This would explain, for example, why the 2011 Proposal neglects the Napoleonic Wars, but emphasizes “Napoleon’s re-legalization of slavery in French colonies in 1802” (Example 9.4.3.11.5, at p. 128); removes Martin Luther King Jr., but inserts Nelson Mandela (Example 9.4.3.13.2, at p. 130); deletes all references to the 9/11 Terrorist Attacks, the War on Terrorism, and the Iraq War, but

adds Arab Spring (Example 8.3.3.8.1, at p. 89). That Arab Spring, at least for the present, plays a less significant role in defining cultural literacy than 9/11, may be evidenced by the fact that the MDE felt it necessary to define “Arab Spring” for an audience of social studies education policy makers. (SONAR, p. 2, note 6).

To be clear, I do not oppose the inclusion of anti-colonialism as such. I write neither as a conservative nor as a liberal, neither as a Republican nor as a Democrat. I write as a history professor who desires future generations to have a fair sampling of the full political spectrum. I object to the 2011 Proposal because it neglects to emphasize the common adherence to natural rights philosophy that was shared by Thomas Jefferson (a reluctant slaveholder), Abraham Lincoln (our nation’s first Republican president), John F. Kennedy (a Democrat, and our nation’s first Catholic president), Frederick Douglass and Martin Luther King, Jr. (black men), Rosa Parks (a black woman), and Chief Joseph (a Native American). As Julie Quist stated at the December 20, 2012 hearing, it is this civil creed professing that government properly exists to protect natural, inalienable rights that unites all Americans into one nation.

The alternative approach, represented by the 2011 Proposal, is to diminish the emphasis on foundational content and direct attention toward skill sets and activities. I concur with Debbi Daniels, Ph.D., a political science professor who testified on December 20, 2012, that the 2011 Proposal will fail to prepare students for college-level work and, moreover, that it risks turning students into “uneducated activists” rather than “independent citizens.” Contrary to the MDE’s claim, the “exemplary” states are not headed so narrowly down the same path which the MDE has charted for Minnesota.

F. BY DENYING NATIONAL SOVEREIGNTY AND INVENTING
INDIGENOUS SOVEREIGNTY

The 2011 Proposal never once affirms the national sovereignty of the United States, but does make such a claim for Native American tribes. The 2004 Standards, by contrast, include American “national sovereignty” in three Examples supporting various Standards and Benchmarks concerning nationhood and foreign policy. (2004 Standards, pp. 20, 72, 80)

As for other “exemplary” states, Texas does not mince words, requiring that students “evaluate efforts by global organizations to undermine U.S. sovereignty through the use of treaties” (TX, 113.41(c)(11)(C)⁷) Students in Texas will gain a clear understanding of which entities have national sovereignty: “analyze the human and physical factors that influence the power to control territory and resources, create conflict/war, and impact international political relations of sovereign nations such as China, the United States, Japan, and Russia and organized nation groups such as the United Nations (UN) and the European Union (EU).” (TX, 113.41(c)(14)(C))

The 2011 Proposal refers repeatedly to Native Americans as “indigenous nations.” For example, History Standard 10 reads: “The United States establishes and maintains relationships and interacts with indigenous nations and other sovereign nations, and plays a key role in world affairs.” (in 2011 Proposal, p. 12) Notice that this standard inculcates the historically false notion that Native American tribes exist alongside “other sovereign nations.” Such a claim cannot be substantiated by any measure of social studies research and therefore has no place in an academic standard for social studies education.

⁷ See [Appendix B](#) for a fuller citation.

The U.S. Bureau of Indian Affairs refers to Native American groups as “indigenous tribes,” “indigenous people,” and “indigenous communities,” but never as “indigenous nations,” like the 2011 Proposal would have it. (<http://www.bia.gov/FAQs/index.htm>) The U.S. Supreme Court has classified Native American tribes as “domestic dependent nations,” not as “sovereign foreign nations.” Cherokee v. Georgia, 100 U.S. 1, 17 (1831) . Attorney General Janet Reno issued a policy directive in 1995 that re-affirmed the “domestic dependent nation” status while also recognizing “tribal sovereignty” within the limits of tribal populations on tribal lands. (Department of Justice Policy on Indian Sovereignty and Government-to-Government Relations with Indian Tribes, 1 June 1995, <http://www.justice.gov/ag/readingroom/sovereignty.htm>)

To this day, Native American tribes remain politically distinct from foreign sovereign nations. Does the U.S. State Department have an embassy on any tribal territory? Is any Native American tribe a member of the United Nations? Not until April 2012—two months after the final draft of the 2011 Proposal went public—did the United Nations launch its first-ever inquiry into Native American rights. (<http://www.guardian.co.uk/world/2012/apr/22/un-investigate-us-native-americans>)

The six states that the 2011 Proposal regards as “exemplary” identify Native American tribes in terms of “American Indians,” “indigenous people,” “Indians,” “native people,” and “native populations.” Not one of those states calls them “indigenous nations” or suggests they have “sovereignty” on par with “other sovereign nations,” as does the 2011 Proposal. Michigan offers the following explanation:

Note: U.S. historians, history books, history standards, and the peoples themselves have used, at one time or another, “Native American” and “American Indian,” while Canadian history uses “First Peoples” to refer to

inhabitants of North America prior to European exploration, conquest, and settlement. While we are using American Indians throughout the content expectations, students should be familiar with the different names and specific tribal identities as they will likely encounter variations over the course of their studies. (MI, p. 37, note 1⁸)

None of this is to say that the United States has made the best policy in dealing with Native Americans. An important debate has occurred, and likely will continue, concerning the “domestic dependent nation” status and its alternatives. Unfortunately, the 2011 Proposal precludes further discussion and debate of this topic, because it employs language that presumes what is false and paints a fantasy world, in which the rising generation of students will never know the reality of the problematic nature of U.S.-Indian relations. The fantasy might be pleasant, and perhaps the future of Indian relations will live up to the hopes that the authors of the 2011 Proposal express, but in the meantime their editorializing quite irresponsibly exceeds their duty as education policymakers.

G. BY REPLACING U.S. CITIZENSHIP WITH GLOBAL CITIZENSHIP

Every instance of “citizen” or “citizenship” in the 2004 Standards refers specifically to U.S. citizenship. For example:

1. Students will define citizenship and describe the processes by which individuals become United States citizens.
2. Students will compare the rights and responsibilities of U.S. citizens with the rights and responsibilities of non-citizens in the United States and describe changes in citizenship since 1870. (Grades 9-12 Benchmarks VII.A.1-2, at p. 73)

The student will analyze various methods of civic engagement needed to fulfill responsibilities of a citizen of a republic. (Grades 9-12 Standard VII.A, at p. 74)

The 2011 Proposal, by contrast, shifts attention away from U.S. citizenship and

⁸ See [Appendix B](#) for a fuller citation.

toward the idea of “global citizenship.” For example, the SONAR document states: “Another major focus of the committee was to revise the standards in such a way that students would be better prepared for the global world. Several leading social studies sources support the need for students to develop skills to become effective global citizens.” (SONAR, p. 31, emphasis added) None of the position papers referenced in that section of the SONAR document acknowledge the fact that national sovereignty is the first principle identified in the Declaration of Independence:

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature’s God entitle them ... (Declaration of Independence, para. 1)

Nor do the proponents of “global citizenship” acknowledge the Supremacy Clause of the U.S. Constitution, to wit:

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding. (U.S. Const., Art. VI)

Despite so much lip service to the supposed educational objective of making students aware of the relation between the United States and world affairs, the proponents of global citizenship never acknowledge that U.S. federal courts have held that United Nations policy statements, even with the assenting vote of a U.S. ambassador, have no binding force within the jurisdiction of the United States. (Flores v. Southern Peru Copper Corp., 343 F.3d 140 (2d Cir. 2003); Feng Hsin Chen v. John Ashcroft and Luis Garcia, U.S. Ct. of Appeals (10th Cir. 2004); “The Universal Declaration of Human Rights is aspirational, not binding, and is not recognized as law

in the United States,” Bertram Sacks v. Office of Foreign Assets Control, U.S. Dist. Ct., W. Dist. of Wash. at Seattle (2004), 7) Nevertheless, the 2011 Proposal recommends the U.N. Universal Declaration of Human Rights (Examples 8.4.3.14.5 and 9.4.3.12.4 in 2011 Proposal, pp. 94, 129) and the U.N. Millennium Goals Declaration (Example 8.4.3.14.1 in 2011 Standards, p. 93), while avoiding all mention of the Magan Carta and Gettysburg Address.

In effect, the 2011 Proposal displaces the loyalties of U.S. citizens away from their own nation and redirects their allegiance toward a feigned global citizenship, the policies of which are at times incompatible with the “U.S. Constitution and the laws of the United States,” which the U.S. Constitution identifies as “the supreme law of the land.” (U.S. Const., Art. VI) This treasonous misuse of public education violates the oath of office required of the education commissioner.

State law requires the commissioner of education to take a solemn oath to uphold the constitutions of this state and of the United States. “Every person elected or appointed to any other public office, including every official commissioner, or member of any public board or body, before transacting any of the business or exercising any privilege of such office, shall take and subscribe the oath defined in the Constitution of the state of Minnesota, article V, section 6.” (Minn. Rev. Stat. 385.05) The referenced constitutional provision states: “Each officer created by this article before entering upon his duties shall take an oath or affirmation to support the constitution of the United States and of this state and to discharge faithfully the duties of his office to the best of his judgment and ability.” (Minn. Const., Art. V, sec. 6) Such an oath is patently inconsistent with the commissioner’s planned implementation of the 2011 Proposal, which displaces U.S. citizenship with an allegiance to foreign government entities.

It is unconscionable that the Minnesota Department of Education, as the public custodian of civics education in this state, would promulgate such a flagrant subversion of the American republic in the minds of impressionable kindergarten through high-school students.

VI. THE SOUTHERN POVERTY LAW CENTER QUITE REASONABLY HAS
ASSIGNED A FAILING GRADE TO THE 2011 PROPOSAL

At the December 20, 2012 public hearing, a concerned citizen named Cindy Pugh spoke against the 2011 Proposal, claiming that it diminishes both academic rigor and cultural literacy. She alluded to a disparaging report by the Southern Poverty Law Center (SPLC). Following her testimony, Sarah Herder, an education director for Advocates for Human Rights, requested clarification and expressed doubt that the SPLC would find anything objectionable about the 2011 Proposal. Neither Pugh nor Herder was able at that time to provide documentation as to SPLC's perspective on the matter. Judge Barbara Nielson, presiding over the hearing, encouraged anyone with that information to provide it during the written testimony period. The following information answers that request.

Founded in 1971, the Southern Poverty Law Center of Montgomery, Alabama, "is a nonprofit civil rights organization dedicated to fighting hate and bigotry, and to seeking justice for the most vulnerable members of society." The SPLC is "internationally known for tracking and exposing the activities of hate groups. Our innovative Teaching Tolerance program produces and distributes—free of charge—documentary films, books, lesson plans and other materials that promote tolerance and respect in our nation's schools." (<http://www.splcenter.org/who-we-are>)

The SPLC has evaluated Minnesota's 2011 Proposal in comparison to the 2004 Standards and assigned the 2011 Proposal the following grades:

Leaders	F (0%)
Groups	F (0%)
Events	F (0%)
History	F (0%)
Opposition	F (0%)
Tactics	F (0%)

Content	F (0%)
Grade levels	F (0%)
Current events	F (0%)
Civics	F (0%)
Other movements	A (100%)

Context	D (25%)

... These new standards are much less detailed than the state's 2004 standards (still in effect until 2013). Those social studies standards were highly rated by the Fordham Institute for their content and instructional focus. They also contained considerably more detail about what students should know about the civil rights movement. Several of those 2004 U.S. history benchmarks (from the post-war United States section) reference the civil rights movement directly and are supported by examples of people, places and events students should know.

(<http://www.splcenter.org/get-informed/publications/teaching-the-movement/how-do-states-compare-to-each-other/minnesota>)

The SPLC awarded the 2011 Proposal only one "A": concerning "Other Movements" (presumably for anti-colonialism; recall that Nelson Mandela is an example in the new proposal, whereas Martin Luther King Jr. and Rosa Parks are not, although they were both featured in the 2004 Standards). All other grades are marked "F" for failure, except for one "D" for "Context." How does the SPLC define "failure"?

The state includes none or less than 20 percent of the recommended content. Sixteen of these states do not require students to learn about the civil rights movement at all. Those that do require movement-related instruction [such as Minnesota] miss essential content in most of the key areas. These states should substantially revise their standards so that

students have a satisfactory and comprehensive picture of the civil rights movement.

(<http://www.splcenter.org/get-informed/publications/teaching-the-movement/how-do-states-compare-to-each-other>)

In view of the written testimony provided in the preceding sections, it should surprise neither Sarah Herder of Advocates for Human Rights nor this court that the Southern Poverty Law Center has assigned a failing grade to the 2011 Proposal. The remedy suggested by the SPLC—“substantially revise [Minnesota’s proposed 2011] standards”—can readily be accomplished by retaining the 2004 Standards.

What about those other “exemplary” states? Arizona received a “B” for History from the SPLC; California received an “A” for Civics; Texas received a “B” for Leaders; Virginia received an “A” for Leaders and a “B” for Events. Michigan and Indiana failed about as miserably as Minnesota, but the fact that failure is not always lonely does not make failure a success.

VII. SUMMARY RECOMMENDATION: RETAIN THE 2004 STANDARDS;
ALTERNATIVELY, AMEND THE 2011 PROPOSAL

Both legally and pedagogically, the 2011 Proposal falls short of the currently adopted 2004 Standards of this state. The 2011 Proposal, but not the 2004 Standards, also fails to keep pace with the examples of several other states—examples that the MDE straightforwardly acknowledges to be “exemplary.” Shockingly, the 2011 Proposal and its accompanying SONAR document are peppered with propaganda subverting the Supremacy Clause of the U.S. Constitution.

The 2011 Proposal demonstrably fails with respect to several criteria in the standard of review (Minn. Rules 1400.2100, items (B), (D), and (E), discussed in Section

III, above): the proposed rule is *not* rationally related to the agency’s objective; the proposed rule does *not* demonstrate reasonableness; the proposed rule *exceeds* the agency’s authority; and the proposed rule *violates* the constitutions of Minnesota and of the United States. Therefore, the administrative judge is bound by the rules of administrative justice to reject the proposal.

In view of the myriad deficiencies of the 2011 Proposal, as identified in the preceding testimony, I respectfully request that the judge would disapprove the 2011 Proposal and submit this matter to the chief judge (Minn. Rules 1400.2240, subpart 4) urging that the chief judge would direct the Minnesota Department of Education to retain the 2004 Standards until such time as an alternative set of standards can be produced that corrects all of the deficiencies identified for the 2011 Proposal.

In the event that this court determines that the 2004 Standards should not be retained, I request that this judge or the chief judge, as appropriate, would direct the MDE to amend the 2011 Proposal before implementation, to which end I have provided suggested amendments in Appendix A, below.

At the very least, I urge that this judge or the chief judge, as appropriate, would instruct the MDE to reinstate into the 2011 Proposal the “Examples” of specific historical persons and events that are present in the 2004 Standards of this state as well as in the “exemplary” standards of other states (see Section V, above). I recognize that Examples, unlike Standards and Benchmarks, do not constitute mandatory coverage in public schools, but I also recognize—as surely as the MDE does—that such Examples nonetheless have a strong *de facto* role in influencing classroom instruction, insofar as they serve as guidelines for compliant implementation. If, as the MDE may choose to emphasize in its rebuttal, the Examples are incidental, then surely the MDE should have

WRITTEN TESTIMONY OF RYAN C. MACPHERSON, PH.D.

no substantial objection to listing, say, Abraham Lincoln and the Gettysburg address as a recommended Example for teachers of social studies. Could any other request be so pathetically commonsensical?

SUBMITTED ON DECEMBER 26, 2012 BY:

/s/ Ryan C. MacPherson

Ryan C. MacPherson, Ph.D.

Mankato, Minnesota

VII. APPENDICES

A. SUGGESTED AMENDMENTS TO THE 2011 PROPOSAL

For simplicity and conciseness, the following suggestions make amendments only for the Grades 9-12 Standards of the 2011 Proposal (SONAR, pp. 87ff); however, these suggestions are intended to apply analogously to similar language in the standards for lower grades. For reasons stated above, it would be more prudent that the 2004 Standards be retained rather than adopting the 2011 Proposal. The following suggestions allow for a compromise, in which some of the more problematic aspects of the 2011 Proposal are brought back into line with the 2004 Standards of Minnesota and the “exemplary” standards of other states, exhibited in Appendix B.

Subpart 1. Citizenship and government.

A. Civic skills. The student will understand that ~~democratic~~ representative government depends on informed and engaged citizens who understand their natural rights as human persons, exhibit civic skills and values, practice civic discourse, vote and participate in elections, apply inquiry and analysis skills, and take action to solve problems and shape public policy.

B. Civic values and principles of ~~democracy~~ representative government. The student will understand that the United States is ~~based on democratic values and principles that include~~ a constitutional republic established to protect the natural rights of persons to life, liberty, and property in keeping with the principles of liberty, national sovereignty, individual rights, justice, equality, the rule of law, limited government, common good, popular sovereignty, majority rule, and minority rights.

C. Rights and responsibilities. The student will understand that all persons have natural rights to life, liberty, and property, and that individuals in a republic also have other rights, duties, and responsibilities. ~~The student will understand that citizenship and its rights and duties are established by law, including the rights and duties of citizenship as established by law.~~

D. Governmental institutions and political processes. The student will understand that the United States government has specific functions that are determined by the way that the sovereign people have, in the U.S. Constitution, delegated specifically enumerated powers ~~is delegated and~~

~~controlled~~ among various bodies: the three levels, federal, state, and local; and the three branches of government, legislative, executive, and judicial. The student will understand that the primary purposes of government is to protect persons' natural rights to life, liberty, and property, and that rules and laws within under the United States ~~e~~Constitutional government are to protect individual rights, promote the general welfare, and provide order. The student will understand that public policy is shaped by governmental and nongovernmental institutions and political processes. The student will understand that free and fair elections are key elements of the United States political system.

E. Relationships of the United States to other nations and organizations. The student will understand that the United States establishes and maintains relationships and interacts with indigenous ~~nations~~ tribes and ~~other~~ sovereign foreign nations, and plays a key role in world affairs. The student will understand that international political and economic institutions influence world affairs and United States foreign policy. The student will understand that governments are based on different political philosophies and purposes; governments establish and maintain relationships with varied types of other governments.

Subpart 2. Economics.

A. Economic reasoning skills. The student will understand that people make informed economic choices by identifying their goals, interpreting and applying data, considering the short-run and long-run costs and benefits of alternative choices, and revising their goals based on their analysis.

B. Personal finance. The student will understand that personal and financial goals can be achieved by applying economic concepts and principles to personal financial planning, budgeting, spending, saving, investing, borrowing, and insuring decisions.

C. Fundamental concepts. The student will understand that because of scarcity, individuals, organizations, and governments must evaluate trade-offs, make choices, and incur opportunity costs. The student will understand that economic systems differ in the ways that they address the three basic economic issues of allocation, production, and distribution to meet society's broad economic goals.

D. Microeconomic concepts. The student will understand that individuals, businesses, and governments interact and exchange goods, services, and resources in different ways and for different reasons; interactions between buyers and sellers in a market determines the price and quantity exchanged of a good, service, or resource. The student will understand that profit provides an incentive for individuals and businesses; different

business organizations and market structures have an effect on the profit, price, and production of goods and services. The student will understand that resource markets ~~and~~, financial markets, and government regulations determine wages, interest rates, and commodity prices. The student will understand that market failures occur when the combined impacts of markets and the regulatory state fail to allocate resources efficiently or meet other goals, and this often leads to government attempts to correct the problem.

E. Macroeconomic concepts. The student will understand that economic performance, the performance of an economy toward meeting its goals, can be measured, and is affected by, various long-term factors. The student will understand that the overall levels of output, employment, and prices in an economy fluctuate in the short run as a result of the spending and production decisions of households, businesses, governments and others. The student will understand that the overall performance of an economy can be influenced for better or for worse by the fiscal policies of governments and the monetary policies of central banks. The student will understand that international trade, exchange rates and international institutions affect individuals, organizations, and governments throughout the world.

Subpart 3. Geography.

A. Geospatial skills. The student will understand that people use geographic representations and geospatial technologies to acquire, process, and report information within a spatial context. The student will understand that geographic inquiry is a process in which people ask geographic questions and gather, organize, and analyze information to solve problems and plan for the future.

B. Places and regions. The student will understand that places have physical characteristics, such as climate, topography, and vegetation, and human characteristics, such as culture, population, and political and economic systems. The student will understand that people construct regions to identify, organize, and interpret areas of the Earth's surface, which simplifies the Earth's complexity.

C. Human systems. The student will understand that the characteristics, distribution, and migration of human populations on the Earth's surface influence Human systems, such as cultural, economic, and political systems. The student will understand that geographic factors influence the distribution, functions, growth, and patterns of cities and human settlements. The student will understand that the characteristics, distribution, and complexity of the Earth's cultures influence human systems, such as social, economic, and political systems. The student will understand that processes of cooperation and conflict among people

influence the division and control of the Earth's surface.

D. Human environment interaction. The student will understand that the environment influences human actions; and humans both adapt to and change the environment. The student will understand that the meaning, use, distribution, and importance of resources change over time.

Subpart 4. History.

A. Historical thinking skills. The student will understand that historical inquiry is a process in which multiple sources and different kinds of historical evidence are analyzed to draw conclusions about what happened in the past, who shaped those events, how, when, where, and why things happened in the past.

B. World history. The student will understand that:

[NOTE: Language from the 2004 Standards should be reinserted here requiring that students identify the significance of major persons and events in world history.]

(1) environmental changes and human adaptation enabled human migration from Africa to other regions of the world ~~between 200,000 and 8000 BCE~~ prior to recorded history;

(2) the emergence of domestication and agriculture facilitated the development of complex societies and caused far-reaching social and cultural effects ~~between 8000 and~~ prior to 2000 BCE;

(3) the development of interregional systems of communication and trade facilitated new forms of social organization and new belief systems between 2000 BCE and 600 CE;

[NOTE: Language should be inserted here calling for a specific identification of the roots of Western Civilization, for example, in the ancient civilizations of Greece and Rome.]

(4) hemispheric networks intensified as a result of innovations in agriculture, trade across longer distances, the consolidation of belief systems, and the development of new multi-ethnic empires while diseases and climate change caused sharp, periodic fluctuations in global population between 600 and 1450 CE;

[NOTE: Items (4) and (5) should be reconfigured, such that the Renaissance and Reformation each receive the level of attention afforded them in the 2004 Standards, in view of the significant contributions each of these episodes made to Western Civilization and, in time, to other

civilizations.]

(5) new connections between the hemispheres resulted in the “Columbian Exchange,” new sources and forms of knowledge, development of the first truly global economy, intensification of coerced labor, increasingly complex societies, ~~and~~ shifts in the international balance of power, and the ascendancy of natural rights philosophy between 1450 and 1750 CE;

(6) industrialization ~~ushered in~~, widespread population growth and migration, new colonial empires, and revolutionary ideas about government and political power resulted in the greatest expansion of personal liberty in world history, including an unprecedented scale of emancipation from slavery between 1750 and 1922 CE;

(7) a rapidly evolving world dominated by industrialized powers; scientific and technological progress; profound political, economic, and cultural change; world wars; and widespread violence and unrest ~~produced~~ characterize a half century of crisis and achievement between 1900 and 1950 CE;

(8) post- World War II geopolitical reorganization produced the Cold War balance of power and new alliances that were based on competing economic and political doctrines between 1950 and 1989 CE; and

(9) globalization, the spread of capitalism, the expansion of public welfare systems, and the end of the Cold War have shaped a contemporary world still characterized by rapid technological change, dramatic increases in global population and economic growth coupled with persistent economic and social disparities and cultural conflict from 1989 CE to the present.

C. United States history. The student will understand that:

[NOTE: Language from the 2004 Standards should be reinserted here requiring that students identify the significance of major persons and events in American history.]

(1) before European contact, North America was populated by indigenous nations that had developed a wide range of social structures, political systems, and economic activities, and whose expansive trade networks and periodic inter-tribal warfare, extended across the continent, culminating in Aztec imperialism and slavery ca. 1500;

(2) rivalries and among European nations and their search for new opportunities fueled expanding global trade networks and, in North America, colonization and settlement and ~~the exploitation of varied interactions with~~ indigenous peoples and lands; colonial development evoked ~~varied responses by indigenous nations, and~~ produced regional

societies and economies ~~that included imported slave labor and distinct forms of local government with varying degrees of slave labor, religious liberty, and local representative government~~ between 1585 and 1763;

(3) the divergence of colonial interests from those of England led to ~~an independence movement that resulted~~ a debate over the nature of inalienable rights and the applicability of English law in the American colonies, resulting in the American Revolution and the foundation of a new nation based on the ideals of self-government and liberty between ~~1754-1763-1800~~1791;

(4) economic expansion and the conquest of indigenous and Mexican territory spurred the agricultural and industrial growth of the United States; led to increasing regional, economic, and ethnic divisions; and inspired multiple reform movements between 1792-1861;

(5) regional tensions around economic development, slavery, territorial expansion, and governance resulted in a Civil War and a period of Reconstruction that led to the abolition of slavery, a more powerful federal government, a renewed push into indigenous nations' territory, and ~~continuing conflict over~~ new opportunities and challenges for inter-racial relations between 1850 and 1877;

(6) as the United States shifted from its agrarian roots into an industrial and global power, ~~the rise of big business~~ corporate growth, urbanization, and immigration ~~led to~~ emerged alongside institutionalized racism, ethnic and class conflict, and new efforts at reform between 1870 and 1920;

(7) the economic growth, cultural innovation and political ~~apathy~~ innovation of the 1920s ~~ended in~~ were followed by the Great Depression which spurred new forms of government intervention, and renewed labor activism, with an economic resurgence finally emerging during ~~followed by~~ World War II ~~and an economic resurgence~~ between 1920 and 1945;

(8) post-World War II United States was shaped by an economic boom, Cold War military engagements, ~~politics~~ political realignments and mass protests, and rights movements to improve the status of racial minorities, women and America's indigenous peoples; and

(9) the superior economic performance of capitalist nations, the end of the Cold War, shifting geopolitical dynamics, the intensification of the global economy, and rapidly changing technologies have given renewed urgency to debates about the United States' identity, values, and role in the world between 1980 and the present.

B. EXCERPTS FROM THE “EXEMPLARY” STANDARDS OF OTHER STATES

The following excerpts are taken from the same source documents that the MDE regards as “exemplary” (SONAR, p. 11). These sources are here cited by a two-letter state abbreviation for simplicity; full citations and internet URLs may be found in SONAR, p. 11, notes 35 and 36.

1. SIGNIFICANT PERSONS AND EVENTS

Students in Arizona learn about the Magna Carta in sixth grade (AZ, p. 82), eighth grade 9 (p. 106), and in high school both as a foundation of government (p. 122) and as a major turning point in world history (p. 129). Abraham Lincoln appears six times in the Arizona standards, starting with this requirement for Kindergarteners: “Identify Presidents Washington and Lincoln as leaders of our country.” (pp. 1-2) Martin Luther King Jr. is featured in Kindergarten (p. 1), in first grade for understanding the foundations of government (p. 10) as well as U.S. history (p. 12), in second grade (p. 20), in third grade (pp. 32 and 35), in eighth grade (p. 112), and in high school (p. 138). Rosa Parks also is covered throughout the K-12 progression (pp. 12, 35, 112).

California students learn in seventh grade that the Magna Carta is a “significan[t] development[] in medieval English legal and constitutional practices and [holds] importance in the rise of modern democratic thought and representative institutions” (CA, p. 30). Students “discuss how the principles in the Magna Carta were embodied in such documents as the English Bill of Rights and the American Declaration of Independence” (p. 32). Similar lessons continue in eighth grade (p. 33) and tenth grade (p. 43). Kindergarteners learn why Americans celebrate Lincoln’s birthday (p. 4). Third

graders consider what made Lincoln a national hero (p. 10). Eighth graders analyze the Lincoln-Douglas debate (p. 37). Martin Luther King Jr. receives similar treatment as Lincoln in the elementary grades (pp. 4 and 10). Eleventh graders examine his role in the Civil Rights movement, “including the significance of [his] ‘Letter from Birmingham Jail’ and ‘I Have a Dream’ speech.” (p. 52).

Students in Texas must “identify the impact of political and legal ideas contained in the following documents: Hammurabi’s Code, the Jewish Ten Commandments, Justinian’s Code of Laws, Magna Carta, the English Bill of Rights, the Declaration of Independence, the U.S. Constitution, and the Declaration of the Rights of Man and of the Citizen.” (TX, 113.42(c)(20)(B)) Students must “identify significant individuals in the field of government and politics, including George Washington, Thomas Jefferson, John Marshall, Andrew Jackson, Abraham Lincoln, Theodore Roosevelt, Franklin D. Roosevelt, and Ronald Reagan.” (113.44(c)(1)(F)) Students also “identify the roles of significant leaders who supported various rights movements, including Martin Luther King Jr.” (113.41(c)(9)(C)) and learn to recognize the year of King’s assassination as a key “turning point” (113.41(c)(2)(D)).

Similarly, in Virginia, students “will demonstrate knowledge of the political philosophies that shaped the development of Virginia and United States constitutional government by ... explaining the influence of the Magna Carta, the English Petition of Rights, and the English Bill of Rights.” (VA, p. 34) Third graders (among others), “identify[] the contributions of George Washington; Thomas Jefferson; Abraham Lincoln; Rosa Parks; Thurgood Marshall; Martin Luther King, Jr.; and Cesar Chavez” (p. 7).

How embarrassing that the 2011 Proposal for Minnesota includes Washington

and Jefferson only as possible examples (“might include...”, see Section V.E, above), and fails to include so many other important figures.

2. WESTERN CIVILIZATION, THE RENAISSANCE, AND THE REFORMATION

Arizona includes the Renaissance and Reformation as a core concept for all grade levels:

Concept 4: Renaissance and Reformation. The rise of individualism challenged traditional Western authority and belief systems resulting in a variety of new institutions, philosophical and religious ideas, and cultural and social achievements. The ideas born in this era continue to form a basis for political and social thought. (AZ, p. xvi)

Arizona furthermore requires that sixth graders learn about the “exchange of goods (e.g., silk, salt, spices, gold) between eastern and western civilizations.” (p. 80), and that seventh graders “determine the effect of the Industrial Revolution on the Western World” (p. 91).

California requires that sixth graders recognize the significance of Western Civilization:

Identify the sources of the ethical teachings and central beliefs of Judaism (the Hebrew Bible, the Commentaries): belief in God, observance of law, practice of the concepts of righteousness and justice, and importance of study; and describe how the ideas of the Hebrew traditions are reflected in the moral and ethical traditions of Western civilization. (CA, p. 24)

In fifth grade, California’s students “explain the aims, obstacles, and accomplishments of the explorers, sponsors, and leaders of key European expeditions and the reasons Europeans chose to explore and colonize the world (e.g., the Spanish Reconquista, the Protestant Reformation, the Counter Reformation).” (p. 17) In seventh grade, “students analyze the historical developments of the Reformation,” by fulfilling seven distinct requirements, such as “describ[ing] the theological, political, and

economic ideas of the major figures during the Reformation (e.g., Desiderius Erasmus, Martin Luther, John Calvin, William Tyndale).” (p. 31)

Also in seventh grade, California’s “students analyze the origins, accomplishments, and geographic diffusion of the Renaissance.” (p. 30) More specifically, students are to “explain the importance of Florence in the early stages of the Renaissance and the growth of independent trading cities (e.g., Venice), with emphasis on the cities’ importance in the spread of Renaissance ideas” and also “Discuss the roots of the Scientific Revolution (e.g., Greek rationalism; Jewish, Christian, and Muslim science; Renaissance humanism; new knowledge from global exploration).” (p. 31) The preceding requirements support a “big picture” learning outcome: “Explain how the main ideas of the Enlightenment can be traced back to such movements as the Renaissance, the Reformation, and the Scientific Revolution and to the Greeks, Romans, and Christianity.” (p. 32)

In Indiana, the Renaissance is a “core standard” for sixth grade:

Core Standard 1B. History: Medieval History Period and the Renaissance to the 16th Century Describe the feudal system and explain the influence of religion on medieval society. Describe the developments in science, the arts, and literature that occurred during the European Renaissance. (IN, p. 15)

In Massachusetts, the Renaissance and Reformation together form an organizational unit of required content:

Renaissance and Reformation in Europe. Describe the origins and development of the Renaissance, including the influence and accomplishments of Machiavelli, Michelangelo, Leonardo da Vinci, Raphael, Shakespeare, and Johannes Guttenberg. Describe the origins and effects of the Protestant Reformation: the reasons for the growing discontent with the Catholic Church, including the main ideas of Martin Luther and John Calvin ... the spread of Protestantism across Europe, including the reasons and consequences of England’s break with the Catholic Church. ... Explain the purposes and policies of the Catholic

Counter-Reformation, including the influence and ideas of Ignatius Loyola. (MA, pp. 54-55)

An appendix to the Massachusetts standards document also provides numerous resources, including both books and museums, in which content is organized according to major categories of Western Civilization. The Renaissance and the Reformation constitute two of these categories.

Texas introduces its standards by noting that “Traditional historical points of reference in world history are identified as students analyze important events and issues in western civilization as well as in civilizations in other parts of the world.” (TX, 113.42(b)(1)). Students must “summarize the fundamental ideas and institutions of Western civilizations that originated in Greece and Rome.” (113.42(c)(25)) Similarly, the student “understands the causes, characteristics, and impact of the European Renaissance and the Reformation from 1450 to 1750. The student is expected to: (A) explain the political, intellectual, artistic, economic, and religious impact of the Renaissance; and (B) explain the political, intellectual, artistic, economic, and religious impact of the Reformation.” (113.42(c)(5)) Numerous other standards also reference the Renaissance and Reformation.

In Virginia, standards in world history and geography are designed to “enable students to explore the historical development of people, places, and patterns of life from ancient times until 1500 A.D. (C.E.) in terms of the impact on Western civilization.” (VA, p. 20) Numerous standards require the student to identify the influence of specific events upon Western Civilization, such as the histories of “ancient Greece” and “ancient Rome” (p. 21), and transformations within Europe during the Middle Ages (p. 22). Concerning the Renaissance and Reformation in particular:

The student will demonstrate knowledge of developments leading to the Renaissance in Europe in terms of its impact on Western civilization by a) identifying the economic foundations of the Italian Renaissance; b) sequencing events related to the rise of Italian city-states and their political development, including Machiavelli's theory of governing as described in *The Prince*; c) citing artistic, literary, and philosophical creativity, as contrasted with the medieval period, including Leonardo da Vinci, Michelangelo, and Petrarch; d) comparing the Italian and the Northern Renaissance, and citing the contributions of writers. ...

The student will demonstrate knowledge of the Reformation in terms of its impact on Western civilization by a) explaining the effects of the theological, political, and economic differences that emerged, including the views and actions of Martin Luther, John Calvin, Henry VIII, and Elizabeth I; b) describing the impact of religious conflicts, the Inquisition, and the Catholic Reformation on society and government actions; c) describing changing cultural values, traditions, and philosophies, and assessing the role of the printing press. (p. 24)

3. NATURAL RIGHTS

Arizona requires that fourth graders can “identify ... Statement of Natural Rights as found in the Declaration of Independence” (AZ, p. 43) Sixth graders must recognize what natural rights are: “natural rights (i.e., life, liberty, property).” (p. 82) Eighth graders must “Examine the fundamental principles (e.g., equality, natural rights of man, rule of law) in the Declaration of Independence” (p. 123) and also:

Describe how the following philosophies and documents influenced the creation of the Constitution: a. Magna Carta; b. English Bill of Rights; c. Montesquieu's separation of power; d. John Locke's theories – natural law, social contract; e. Mayflower Compact; f. Declaration of Independence; g. Articles of Confederation. (p. 106)

California's seventh graders are to learn about “the natural rights of human beings” (CA, p. 27). Eleventh graders “analyze the ideological origins of the American Revolution, the Founding Fathers' philosophy of divinely bestowed unalienable natural rights, the debates on the drafting and ratification of the Constitution, and the addition of the Bill of Rights.” (p. 47)

Massachusetts expects fifth graders to “explain the meaning ... of natural rights ... contained in the Declaration of Independence.” (MA, p. 30).

Michigan fifth graders must:

Describe how colonial experiences with self-government (e.g., Mayflower Compact, House of Burgesses and town meetings) and ideas about government (e.g., purposes of government such as protecting individual rights and promoting the common good, natural rights, limited government, representative government) influenced the decision to declare independence. (p. 40)

Texas requires not only that students understand the relationship between the foundational ideas expressed in the Declaration of Independence and America’s subsequent history, but also that students recite orally the core expression of natural rights from that document:

(A) Each social studies class shall include, during Celebrate Freedom Week as provided under the Texas Education Code, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.

(B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text: “We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed.” (TX, 113.47(b)(4))

Virginia, the homeland of Thomas Jefferson, makes special provisions for training future generations in the principles of American liberty. Learning objectives

include:

... c) explaining the guarantee of the “rights of Englishmen” set forth in the charters of the Virginia Company of London; e) analyzing the natural rights philosophies expressed in the Declaration of Independence; f) examining George Mason’s Virginia Declaration of Rights, Thomas Jefferson’s Virginia Statute for Religious Freedom, and James Madison’s leadership role in securing adoption of the Bill of Rights by the First Congress. (VA, p. 34)