

**Recommendations to the Education Governance Reorganization Task Force
Regarding the Division Representing the Independent Education Sector**

Patrick J. Heffernan, Ph.D.
Floridians for School Choice
1000 Brickell Avenue, Suite 900
Miami, FL 33131

Phone: 305.702.5577

Fax: 305.702.5580

Email: heff@floridians.org

Web: www.floridians.org

Web: www.floridachild.org

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Overview

The State of Florida has broken new ground in recognizing, at the highest level in its new governance structure for education, that many of its citizens are pursuing their education in non-government institutions or other settings.

- Of the approximate 4.1 million Florida students engaged in formal learning between birth and age 20, approximately 1.1 million (one in four) are doing so in non-government schools.
- In the academic range K through 20, over 500,000 of the 3.5 million students (one in seven) are receiving instruction from non-government teachers.
- Approximately 37,000 K-12 students are participating in home education.
- Thousands of students at all age levels are engaged in distance learning, taking Internet-based courses offered by independent institutions and organizations from around the world.

Thus a very large number and substantial percentage of students are *learning* in non-government settings. Shifting our attention to those doing the *teaching*, we find that the dimensions of the independent educational role are even more striking:

- 1600 of the approximately 5200 K-12 schools in Florida are private or parochial.
- 22 of the 32 SACS accredited colleges and universities are independent.
- Florida's 28 community colleges are complemented by over 480 privately administered career education institutions, responding to the employment needs of the students and State.
- An additional 230 other agencies of higher education are licensed or recognized by the State Board of Independent Colleges and Universities.

The implications are clear. A governance structure seeking to facilitate the education of the people of Florida must include the independent sector. To limit the responsibilities of government in education to those schools and colleges that it administers is arbitrary and unrealistic. It would be the equivalent of limiting the State's interest in citizen health care to the activities of the public health clinics. The state's concern in education is to help its students learn what is important to them and to Florida. How and where they do that may be as diverse as the students themselves. They may be educated in public or privately administered institutions, at home, or online.

Florida has embraced this student-centered perspective by establishing a new division to represent the Florida families and institutions involved in non-government education. The new division has been given parity of place and esteem with the other three divisions in the new governance structure: the government schools, community colleges and universities. This document proposes a role, functions and structure for the new **Division of Independent Education**.

I. Mission of Division

The mission of the Division of Independent Education is to raise the educational attainment levels of students pursuing their education in non-government settings by representing their interests, and those of the institutions that serve them, in the Florida Department of Education.

II. Limitation of Authority

The Division of Independent Education has no authority over the institutions or students in Florida's independent sector, other than those relating to licensing in postsecondary education as specified below. The statute creating the new governance structure states that it must ensure "that the non-public education institutions and home education programs maintain their independence, autonomy, and non-governmental status." This obligation must be a hallmark of the Division of Independent Education. Far from suggesting a new government authority over education in non-government settings, the creation of the new division is meant to better insure its protection from that very thing.

III. Name of Division

Division of Independent Education. It is currently called the **Division of Non-public and Non-traditional Education**. The reasons for recommending the above alternative name are:

- Like other divisions, it should be named for what it is, not what it is not. It deserves a positive, not negative, description.
- 'Independent', not 'non-public' is the correct expression to differentiate this division from its three partners. All divisions are serving the *public* purpose of educating the populace. Both independently administered and government administered schools are involved in *public* education.
- It is inclusive - embraces all non-government educational institutions, as well as home and distance learning.
- Home and distance education are quickly losing the status of "non-traditional".

IV. Title of Head of Division

Deputy Commissioner for Independent Education. The reasons for proposing this title are:

- Making the head of this division an 'Executive Director,' while other division heads are 'Chancellors,' subordinates the perception of both the position and the division.
- The proposal assumes that the other three division heads will also become Deputy Commissioners, thus giving all equal status.
- It simplifies and clarifies matters for those inside and outside of government.

V. Functions of Deputy Commissioner of Independent Education

- A. Learn the interests and concerns of the recipients and providers of independent education at all levels in order to strongly represent them in the Florida Department of Education.
- B. Articulate those interests and concerns in all relevant government settings, accurately reflecting the consensus or differences in opinion among those represented.
- C. Participate on an equal footing with the other division heads in the key decision making process in Florida education.
- D. Monitor and participate in the rule making and other DOE activities that either foster or frustrate the interests of the independent sector.
- E. Serve as a key spokesperson and ambassador for the independent educational sector in the Florida legislature and Office of the Governor.
- F. Ensure that independent sector families and schools receive the services and funds to which they are currently entitled. Foster the legitimate expansion of such services and funding.
- G. Establish a clearinghouse of information for private education providers and recipients.
- H. Foster a collaborative spirit and working relationship between the institutions of the private and public sectors.
- I. Identify and convey the best practices of the independent sector for the benefit of the public sector and vice versa.
- J. Augment where appropriate the efforts of the different groups representing the providers and recipients of independent education to communicate their concerns to government.
- K. Facilitate the administration of those State services currently provided to the independent sector, such as those relating to teacher certification and background checks.
- L. Encourage student-centered funding and the expansion of family choice in education.
- M. Develop and propose courses of action to the representatives of the independent sector.
- N. Communicate important decisions to the independent sector.
- O. Establish and oversee the office and staff necessary to carry out the above functions in the most economical and effective manner.

VI. Advisory Council for Independent Education

A. Role

The Advisory Council for Independent Education will be the statutory body providing the Deputy Commissioner with advice, information and the collective position of the independent education community on any matters pertaining to it. While the policy positions taken by the Advisory Council would not be binding on the Deputy Commissioner, they would be authoritative. It is expected that it would be the exception for the Deputy Commissioner to depart from the advice and

policy recommendations of the Advisory Council. In such circumstances the Deputy Commissioner would be required to explain the departure to the Advisory Council.

Specific functions of the Advisory Council would include:

- formulate policies, proposals, and priorities for advocacy by the Deputy Commissioner
- identify and prioritize concerns of independent sector providers and recipients
- respond to proposals or positions developed or brought to it by the Deputy Commissioner

B. Composition and Operations

The intent is that the Advisory Council be predominantly composed of members of the independent education community who have been nominated for appointment by organizations with an existing representative role in that community. These nominees would be presented to the Commissioner of Education for appointment to the Committee. The Advisory Council is the central body steering the course of the new division. In its formation and conduct it should reflect that importance.

As a guiding principle for its composition, the Advisory Council must give fair representation to the major segments of the independent education community across the full age range of students served. To do so it is recommended that most of the nominees for membership on it come from organizations that have already received breadth of support within the major segments.

It is recommended that the members of the Advisory Council serve without compensation but that all meeting and travel expenses be reimbursed. It is also essential that the Advisory Council receive a level of staff support from the division sufficient for it to carry out its work effectively.

Further details regarding the composition, appointment of members, terms of service, and operation of the Advisory Council will not be addressed here.

VII. Commission for Independent Postsecondary Education

This single entity would consolidate the licensure and authorization functions currently carried out by the separate State Board of Independent Colleges and Universities (SBICU) and the State Board of Non-public Career Education (SBNCE). The functions of the Commission shall be to authorize or license those independent postsecondary educational institutions that (a) offer educational programs and grant certificates, diplomas or degrees for the completion of those programs in the state of Florida and (b) meet one or more of the following conditions:

- are not accredited by a recognized accrediting agency
- are not subject to regulation by a federal agency that oversees their area of training
- are chartered outside the state of Florida.

Those religious institutions currently authorized by SBICU and other institutions that are exempt from authorization will continue to be treated on the same basis. The intent of the consolidated Commission is to preserve the function of consumer protection that it serves, while reducing costs and improving efficiency. Further details on this proposal are provided in a paper prepared by the Florida Association of Postsecondary Schools and Colleges.

VIII. The Division of Independent Education

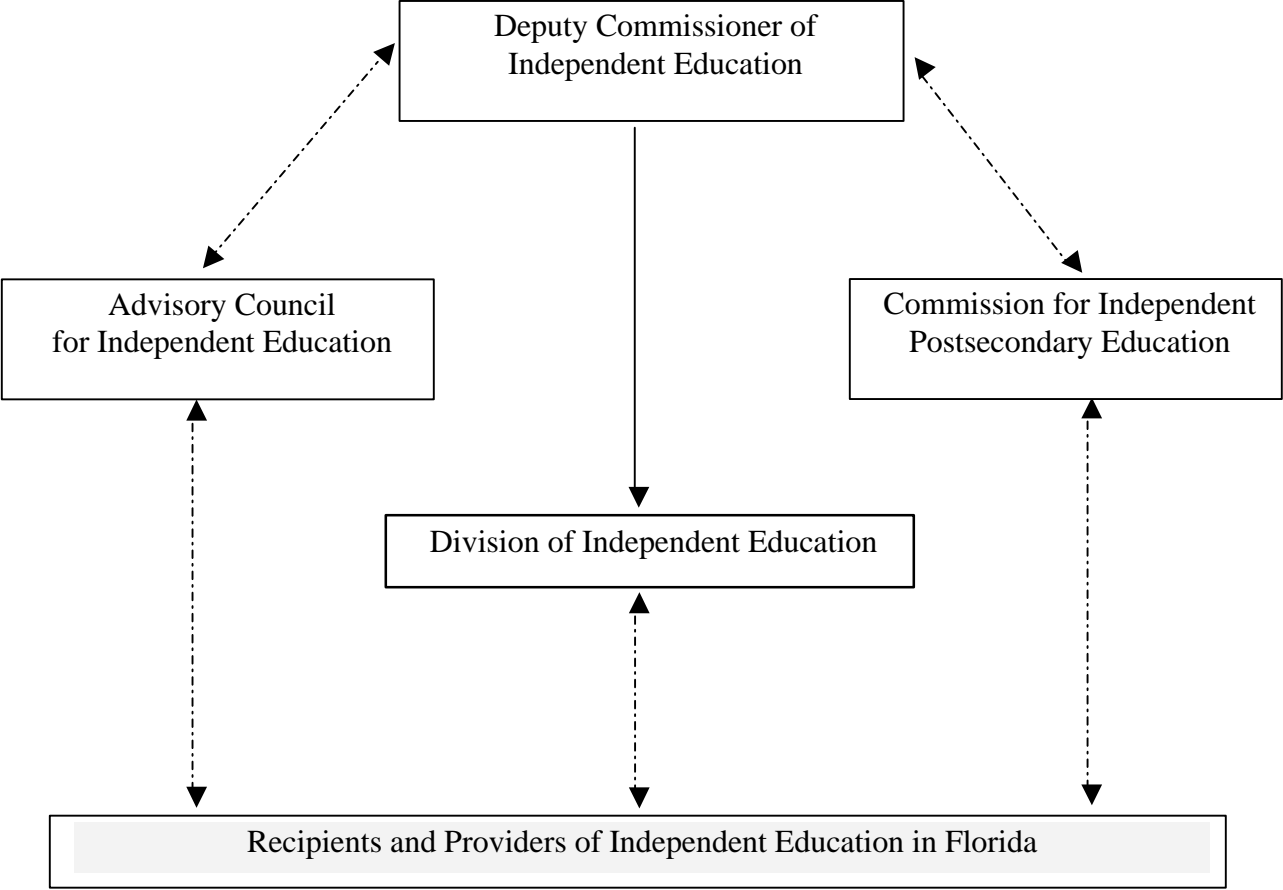
The independent sector in education has two major properties that dramatically reduce the need for central office staffing and administration:

- The governance of the institutions resides with the institutions themselves.
- The institutions are accountable to their users and to independent accrediting agencies for their activities and results.

In the public sector, government authorities carry out these two functions of governance and accountability, often with a primary or substantial role for the State agency. Because the Division of Independent Education has neither the responsibility nor authority to carry out these two functions, it ought and must operate with a much smaller staff than the other divisions. Beyond that observation, and the admonition that the division strive for the minimum staffing necessary to carry out its functions, this paper offers no direction on the details. That is a matter for the Deputy Commissioner to determine in context and in consultation with the Advisory Council.

Patrick J. Heffernan, Ph.D.
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305.702.5577

**Proposed Governance Model
For Division of Independent Education**



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