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Interim Project Report 2005-127

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Committee on Education

Senator Evelyn Lynn, Chair

ELEMENTARY AND SECONDARY PRIVATE SCHOOL ACCREDITATION

SUMMARY

Accreditation is a form of self-regulation and confers recognition that a school meets the administrative, academic, organizational, and financial criteria of an accrediting association. The integrity of the accreditation process depends upon a rigorous self-study, a continuous peer review process to determine if standards are being met and maintained, and a commitment to school improvement.

Current law does not require private schools to be accredited to participate in either the tax credit scholarship program or the John M. McKay Scholarships for Students with Disabilities Program, nor does the law authorize the use of accreditation as an alternative to meeting other participation requirements.

The report examines aspects of the accreditation process for elementary and secondary private schools, as well as the possible impact of mandatory accreditation as a condition of scholarship program participation by private schools.

Findings from the committee's interim project indicate that the voluntary accreditation process appears to have value for some participating schools in that the schools seek and obtain accreditation. Accrediting bodies generally subscribe to a commitment to using the self-study and peer review process to determine if a school meets recognized standards.

The report contains recommendations to improve program accountability. However, imposing excessive accreditation requirements on participating private schools will likely prevent some schools from participating in the programs and stifle parental choice. The challenge remains to be improving the programs to

prevent abuses while achieving greater focus on – and efficiency of – administration of the programs.

BACKGROUND

Current law sets forth requirements for schools and students participating in the John M. McKay Scholarships for Students with Disabilities Program (s. 1002.39, F.S.) or the tax credit scholarship program (s. 220.187, F.S.). Both programs allow eligible students to attend an eligible public school or private school of their choice. Scholarships are provided to attend an eligible private school. Under the tax credit scholarship program, scholarships are also provided to attend a public school located in another district.

To participate in either scholarship program, a private school must meet specific requirements. Private schools are permitted to receive scholarship funds through the programs after meeting statutory financial eligibility criteria. They are also required to comply with all other laws regulating private schools and to abide by anti-discrimination laws and health and safety codes and laws.

Private schools participating in the McKay Program must remain academically accountable to parents and must employ teachers who at least have some expertise that qualifies them to provide instruction in the subjects taught. There are no comparable requirements for schools participating in the tax credit scholarship program. Unlike the tax credit scholarship program, the state administers the McKay Scholarship Program and prepares and delivers McKay scholarship funds to schools.

Current law does not require private schools to be accredited to participate in either program, nor does the law authorize the use of accreditation as an alternative to meeting other participation requirements. As of

February 2004, 673 schools participated in the McKay Program and 923 schools participated in the tax credit scholarship program.

Accreditation

According to the U.S. Network for Education Information, accreditation is the process used in U.S. education to ensure that schools, postsecondary institutions, and other education providers meet and maintain minimum standards of quality and integrity regarding academics, administration, and related services.¹ It is a voluntary process based on the principle of academic self-governance.² An accredited school is one that has met the standards of the accrediting agency by which it chooses to be accredited. Standards vary by accrediting agency and usually reflect an emphasis on different eligibility criteria. They may also reflect a particular religious or educational philosophy.

Schools and faculties participate in accreditation. The entities that conduct accreditation are associations comprised of schools and academic specialists in specific subjects, who review and enforce standards of membership and procedures for conducting the accreditation process. Meeting the standards generally means that a school has earned peer approval and is eligible for other privileges, including participating in state or local associations. High schools that meet regional accreditation standards assist the prospects of students who wish to attend military programs, colleges, and other postsecondary institutions that require them to come from regionally accredited schools.

Accrediting associations are taking steps to include performance or accountability measures which emphasize outcomes as opposed to inputs. This change reflects the increased emphasis on academics rather than an emphasis on facilities and *bricks-and-mortar* credentials.³

¹<http://www.ed.gov/about/offices/list/ous/international/usnei/us/edlite-accred-whatis.html> National Library of Education.

² Some schools are required to be accredited. For example, all Florida Catholic elementary and special education schools must be accredited by the Florida Catholic Conference (K-8). Similarly, all Florida Episcopal schools must be accredited by specific accrediting bodies or those approved by the Board of Governors of the Episcopal Diocese of Florida.

³ See Elgart, M.A., "Accreditation and School Improvement: The Next Generation." SACS' Council on

Accrediting Associations/ Recognition Bodies

Many associations accredit private elementary or secondary schools or both, using different academic and professional standards. Independent accrediting entities include state and regional accrediting associations (e.g., the Southern Association of Colleges and Schools' (SACS) Council on Accreditation and School Improvement), as well as national associations.

Some entities *recognize* accrediting associations. Examples include the Florida Association of Academic Nonpublic Schools (FAANS), the National Council for Private School Accreditation (NCPSA), and the National Association of Independent Schools' (NAIS) Commission on Accreditation. These entities do not accredit individual schools, but they recognize associations that do so. Recognition is achieved by an accrediting association when it meets the criteria and standards set by the recognition body with which it chooses to affiliate.

State and Federal Role in Accreditation

Neither the federal government nor the State of Florida recognizes, approves, or regulates associations that accredit private elementary or secondary schools. The role of the U.S. Department of Education's Office of Non-Public Education is limited to the certification of private elementary and secondary schools under the Student and Exchange Visitor Program, as administered by the U.S. Immigration and Customs Enforcement in the U.S. Department of Homeland Security (DHS). The DHS reviews and adjudicates petitions for approval of schools for attendance by nonimmigrant students. No school, whether public or private, can accept international students unless certified to participate in an automated data system for tracking all non-U.S. citizens who come to, and reside in, the United States while holding certain student or exchange visas.

METHODOLOGY

Committee staff identified the accrediting associations reported by private schools participating in the McKay and tax credit scholarship programs, as well as other associations that accredit Florida private schools. Staff

Accreditation and School Improvement, http://www.sacscasi.org/region/selfstudy/The_Next_Generation_of_Accreditation.pdf and Manzo, K. K. "Secondary Accreditation to Target Academics." *Education Week*, February 23, 2000.

reviewed SACS' private school standards and the role of entities that recognize accrediting associations operating in Florida.

Also, staff conducted a survey of these organizations and reviewed the standards and procedures for conducting the accreditation process and enforcing the accreditation standards. Responses were received from 22 or approximately 60 percent of the 37 organizations surveyed. The respondents represent approximately 2,000 schools in the U.S. and other countries. Not all of these schools participate in the scholarship programs.

The questions on the survey focused on the accreditation criteria and standards, as well as the accreditation status of participating schools or associations. For reference purposes, each organization was asked to provide a copy of its standards, policies and procedures, and fee schedule.

Staff examined various documents about the accreditation process and the value of accreditation. Finally, staff consulted with the Florida Department of Education, the Office of Non Public Education in the U.S. Department of Education, and private sector stakeholders.

FINDINGS

Accreditation Information Available to the Public

Public Sector

Current statutory schemes do not provide a mechanism to verify accreditation information provided by private schools. The U.S. Department of Education reports information from private schools based on a voluntary survey, including organizational affiliations. However, this information does not reflect specific accreditation status and is not verified by the agency.⁴

The Florida Department of Education (DOE) lists associations that self-report an accreditation function for private schools.⁵ Historically, the department has verified this information to only a limited extent. The DOE website on accreditation of private schools states

that submitting annual survey data and being listed in the department's directory is required, but should not be used by any private school to imply approval, recognition or accreditation by the state. The website directs requests for accreditation information on a specific school to the school staff or its designated accrediting association.⁶

In April 2004, the DOE requested affiliation information from schools participating in three scholarship programs. Almost 70 percent of the schools participating in the Opportunity Scholarship Program (OSP), the McKay Scholarship Program, and the tax credit scholarship program reported an accreditation affiliation. The schools identified affiliations with approximately 45 accrediting associations. Not all schools provided accurate information. One participating school reported accreditation by the National Board of Private Education. This association does not currently accredit any schools in Florida. Several other schools reported an affiliation with an association that had reorganized as a different accrediting entity.

The DOE now routinely collects the accreditation affiliation reported by OSP participating schools, as well as from schools wishing to participate in the McKay Scholarship Program and the tax credit scholarship program. The DOE requests this information, based on a recently adopted administrative rule.⁷ The rule adopts by reference a private school scholarship compliance form to obtain documentation of specific information (e.g., school ownership, affiliation, financial solvency, student health, safety, and welfare, and school administration). The instructions on the form state that all new participating private schools must complete, sign, and submit the form to the DOE. New participants must be in full compliance prior to eligibility for participation and receipt of scholarship funds.

Schools must submit a completed form to the DOE to demonstrate compliance with s.1002.42, F.S., and other statutory provisions. The OSP participating schools must list the names of all accrediting associations required by s. 1002.38(4)(f), F.S.⁸ A

⁴ See <http://nces.ed.gov/surveys/pss/privateschoolsearch/>. School affiliations are also available from private organizations such as GreatSchools.net.

⁵ *Non-Public Schools-Florida Accrediting Agencies and Professional Associations*. See <http://www.firn.edu/doe/choice/acc.htm>

⁶ See <http://www.firn.edu/doe/choice/acc.htm> and s. 1002.42(2)(f), F.S.

⁷ Rule 6A-6.03315, F.A.C.

⁸ The law requires participating private schools, as a condition of OSP participation, to be subject to the instruction, curriculum, and attendance criteria adopted by an appropriate private school accrediting body.

school wishing to participate in the McKay Program or the tax credit scholarship program must submit verification of accreditation if it represents itself as an accredited school. The DOE requires this evidence as one of the conditions for receiving scholarship payments. However, the law does not currently specify this requirement nor does it require accreditation as a condition of participating in the McKay Program and tax credit scholarship program. The DOE does not have statutory authority to withhold scholarships funds for failure to provide documentation of accreditation for these programs.

Although not required to do so, the department reports that it does verify some accreditation information provided to the agency by schools participating in the McKay Program and the tax credit scholarship program.

Private Sector

Many, but not all accrediting associations make available to the public information related to their standards and procedures, as well as the accreditation status of specific schools. For example, lists of SACS-accredited Florida private schools and NCSPA-recognized accrediting associations are available online.⁹ The NCPSA requires members to publish and make known their standards, members, and accreditation status levels (e.g., fully accredited member, candidate, or applicant).

Several associations prohibit schools or accreditation organizations from holding themselves out to the public in a manner that implies full accreditation or recognition status. The NCPSA specifically prohibits an applicant from publicly advertising its applicant status. The International Christian Accrediting Association (ICAA) provides for termination of membership for an organization to knowingly mislead or misrepresent its level of involvement with ICAA.

Mandatory Accreditation of Participating Private Schools

The greater the restrictions or conditions which must be met to participate in the scholarship programs, the fewer participants will likely qualify. Mandating

accreditation for participating private schools poses several challenges. First, an accreditation association's eligibility criteria or standards may be so restrictive or philosophically incompatible that otherwise qualified schools will be excluded.

Second, many standards were adopted prior to the implementation of either scholarship program. No model standards exist that specifically apply to the schools participating in either program. Current accreditation standards and eligibility criteria of various organizations are diverse. Differences include the following:

- prior organization membership requirements;
- terms of validity for accreditation status (e.g. 3 years or 5 years);
- reevaluation requirements;
- definitions of accreditation status levels;
- grounds for adverse actions (e.g., warning, probation, suspension, and termination); and
- means of documenting accreditation (e.g., certificate or notification letter).

Participating schools that choose to be accredited are subject to these divergent accreditation standards and other requirements. Further, the level of scrutiny and enforcement is largely dependent upon the accrediting association.

Allowing accreditation to serve as a proxy for meeting statutory eligibility criteria for scholarship programs poses a different issue. Accrediting associations set their own eligibility criteria, standards, procedures, and priorities. An association may potentially revise any of these requirements to the extent that they no longer meet the minimum statutory criteria required of unaccredited schools participating in the scholarship programs.

Mandatory Recognition of Accrediting Associations

Mandatory recognition or validation by an entity that recognizes accrediting associations poses similar challenges, in that there are currently a limited number of these types of recognition bodies. These entities include FAANS, NCPSA, and NAIS. If the provisions in law for the two scholarship programs were amended to limit participation to schools accredited by an accrediting association that is validated by a third party at the state or national level, only schools accredited by associations recognized by FAANS, NCPSA, and

⁹ See

http://www.sacscasi.org/region/Proceedings_2003/Proceedings_Accredited_FL.html and <http://www.ncpsa.org>

NAIS¹⁰ would be eligible. Following is a list of these associations:

- Accrediting Association of Seventh-Day Adventist Schools, Colleges, and Universities
- Alabama Independent School Association
- Association of Christian Schools International
- Association of Christian Teachers & Schools, Assemblies of God
- Association of Colorado Independent Schools
- Association of Independent Maryland Schools
- Association of Independent Schools of Florida
- Association of Independent Schools of New England
- Association of Waldorf Schools of North America
- California Association of Independent Schools
- Canadian Educational Standards Institute
- Christian Schools International
- Christian Schools of Florida
- Connecticut Association of Independent Schools
- Council of Bilingual Schools
- Council of International Schools
- Episcopal Diocese of Florida
- Florida Association of Christian Colleges and Schools
- Florida Catholic Conference
- Florida Conference of Seventh-Day Adventist Schools
- Florida Council of Independent Schools
- Florida Kindergarten Council
- Florida League of Christian Schools
- Hawaii Association of Independent Schools
- Independent Schools Association of the Central States
- Independent Schools of the Southwest
- International Christian Accrediting Association
- Kentucky Non Public School Commission
- Lutheran Schools- Florida-Georgia District
- Montessori School Accreditation Commission
- National Accreditation Board of Merkos L'Inyonei Chinuch
- National Christian School Association
- National Independent Private Schools Association
- New England Association of Schools and Colleges

- New Jersey Association of Independent Schools
- New York State Association of Independent Schools
- Pacific Northwest Association of Independent Schools
- Pennsylvania Association of Private Academic Schools
- Southern Association of Independent Schools
- Southwestern Association of Episcopal Schools
- Virginia Association of Independent Schools

Additionally, the North American Christian School Accrediting Agency and the Wisconsin Evangelical Lutheran Synod School Accreditation are NCPSA candidate members.

FAANS' standards require an association to be a predominately statewide entity. The standards also state that the association should have accredited schools in at least ten counties. Under this scenario, the Bilingual Schools Association (BISA) would not be eligible for FAANS membership, in that BISA does not have accredited schools in ten counties. All twenty-seven BISA-accredited schools are located in Miami-Dade County.¹¹ In addition, the following associations would not immediately be eligible for either FAANS or NCPSA accreditation, since they must first meet minimum membership requirements: the Evangelical Lutheran Education Association, the Florida Council of Private Schools, and the National Association of Christian Education. Some, but not all schools accredited by these associations currently participate in the scholarship programs. The number of similarly situated accrediting associations and participating schools is unknown.

Costs of Mandatory Accreditation or Recognition

There are recurring and nonrecurring costs associated with the process of accreditation and accreditation recognition. Private schools and accreditation associations would incur these costs, and likely pass them on to consumers in the form of higher fees or tuition.

Survey respondents provided information related to these costs. Many associations require a school to hold membership in the association for a specific number of years prior to attaining full accreditation status. This often entails annual membership dues, which can range from a flat fee of \$100 to as much as \$800. Some

¹⁰ According to NAIS staff, NAIS' Commission on Accreditation recognizes the accreditation process of its membership for elementary and/or secondary independent schools.

¹¹ BISA only accredits Lincoln-Marti schools.

associations levy an additional fee on a per student basis (e.g., \$2.65 per full-time student).

At the time of application for accreditation, schools must often pay an application fee, ranging from \$50 to \$2,000. Most organizations require applicants to cover all costs associated with site visits, including consultant fees. Schools seeking renewal of accreditation may also be charged application and site visit fees. The term of accreditation is generally three or five years. For associations seeking recognition from a recognition body, application fees range from \$200 to \$500 for recognition that is valid for 5 years.

Requiring accreditation or allowing accreditation as a proxy for other eligibility requirements will require state oversight to validate and monitor the practices of participating schools and accreditation associations. This oversight will likely require additional state resources.

Conclusions

At this time, there is insufficient evidence that mandatory accreditation of participating scholarship schools is needed for accountability of the scholarship programs. Voluntary participation is a major tenet of accreditation. Participating schools should continue to have the option to become accredited, subject to certain reporting requirements.

Requiring mandatory recognition of accrediting associations will not necessarily guarantee adequate oversight. Not all accrediting recognition bodies are now sufficiently prepared to provide evidence to parents and the public that their members adhere to reevaluation criteria and undergo a regular and rigorous review.

One accrediting recognition body was unable to provide any evidence of initial recognition reviews or any of the reevaluations required by its own standards for any member associations. It is unclear as to whether or not the recognized associations received any indicia of recognition. Two member associations indicated that the recognition body has not conducted any recent reviews of their associations. As well, there appears to be an internal dispute as to whether or not a review is actually required unless an association fails to comply with the recognition criteria.

Rather than mandate accreditation, parents of scholarship students should be provided with the tools to investigate participating schools that opt for

accreditation. The accrediting associations can serve a useful role in this process by providing the DOE and parents with verification that a school's claim of accreditation is valid. They can also provide parents with accreditation standards and the results of school reviews, including any adverse action taken by the accrediting association.

These changes should be considered for inclusion as a part of a broader accountability initiative for the scholarship programs. Also, legislation should be considered to implement the recommendations in the 2004 Senate Education Committee's interim project reports for the McKay Scholarship Program and the tax credit scholarship program. These changes, coupled with the recommendations contained in this report, should result in increased program accountability without imposing mandatory accreditation.

RECOMMENDATIONS

Accountability

Legislation should be considered to implement the recommendations in the 2004 Senate Education Committee's interim project reports (2004-130 and 2004-132) for the McKay Scholarship Program and the tax credit scholarship program. In general, those recommendations would eliminate some of the existing loopholes in the scholarship programs, clarify the roles of the various program stakeholders to ensure that all parties are fulfilling their administrative duties, and strengthen overall program accountability. However, in doing this the laws specifying the eligibility criteria for private schools wishing to participate in these programs should not be amended to require school accreditation by any accrediting association or to allow accreditation as a proxy for other school eligibility criteria. Similarly, mandatory recognition or validation by an entity that recognizes accrediting associations should not be a part of the scholarship programs.

Accreditation Status

Sections 1002.39 and 220.187, F.S., should be revised to require private schools participating in the McKay Scholarship Program and the tax credit scholarship program to disclose, through an annual sworn and notarized compliance statement, to the Department of Education the following information:

- The names of all accrediting associations that accredit the eligible private school;
- The designated accreditation status of the school for each accrediting association (e.g., fully accredited or full membership, candidate, applicant, provisional member);
- The scope of accreditation (e.g., school and grade levels);
- The expiration date for the accreditation status of the school for each accrediting association;
- Any change to the accreditation status of the school (e.g., probation, suspension, or revocation); and
- A statement containing an acknowledgment that making a false statement with the intent to mislead a public servant in the performance of his or her official duty is a second-degree misdemeanor, as provided for in s. 837.06, F.S.

Following are other legislative recommendations:

- Require the Department of Education to revoke scholarship program participation if a school fails to meet requirements or provides false, misleading, or deceptive information.
- Require an association that accredits schools participating in the McKay Scholarship Program and the tax credit scholarship program to provide the Department of Education with a current list of schools accredited by the association and the accreditation status for each school.