***[Virginia Prescott] I’m Virginia Prescott and this is Civics 101. The podcast refresher course on the basics of our democracy.***

***Today we're honing in on leadership at the Department of Education. What exactly does the Secretary of Education do, and how does their work and philosophy affect what happens in American schools? Your civics lessons, for example. We've done a well-researched and helpful explanation of that cabinet-level position on philly.com authored by Dr. Jessica Kendorski who's educating us today. Jessica welcome to Civics 101.***

[Jessica Kendorski] Thank you for having me.

***[VP] The secretary of education heads the Department of Education. So what does the department do?***

[JK] First the Department of Education has primary responsibilities is for administering federal funding and enforcing federal law. So when it comes to education the majority of the funding happens at the local level. But about 8-percent of funding for education comes from the federal government. And it's also primary responsibility is for enforcing federal law. So you have the Individuals with Disabilities Education Act you have 504 of the Rehabilitation Act.

Basically this provides funding for some of the most vulnerable students so students with identified disabilities to ensure equal opportunity for education.

***[VP] And none of these, of course, because we're talking about education, is noncontroversial. How about the Secretary of Education -- what is the Secretary in charge of within the purview of the department?***

[JK] Well, the Secretary of Education is in charge of the Department of Education.

So when we think about the Department of Education it's about I think last year was about a $68 billion dollar budget. So how they use that money primarily falls into the hands of the secretary of education. Now everything in terms of law has to go through Congress and be signed by the president but they advise the president on policy and programs related to education. They're part of the cabinet. So the secretary of education happens to be 15th in line to the presidency which is not too close but close enough. And they also act as the voice of education so that whatever the agenda or the philosophy of the Secretary of Education happens to be they potentially get face to face with the president to try and further that agenda.

***[VP] So, advise the president, implement policy, can potentially whisper in the president's ear -- but what kind of effect does the Secretary of Education have on what happens from day-to-day in schools across the country?***

[JK] So, from day-to-day, there are processes in place where it isn't the Secretary of Education makes a decision and it's put into place. But when you see recent No Child Left Behind Act which has now recently become the Every Student Succeeds Act -- that act tries to have equity for students with disability, and it's kind of the guardrails. So it outlines prevention efforts, efforts to reduce bullying, restrain, and inclusion, and it affects where that federal funding goes for these programs.

So, when we're thinking about the Department of Education and the secretary of education those policies come out of that department they're signed into Congress so while the Department of Ed makes very clear that they don't create curriculum and they don't create standards. They do have a history of imposing what they think should be standards on local schools. So what you saw with the Common Core initiative that was not federal legislation but suggestions for schools. And you were incentivized with money for implementing those suggestions. So the new Every student Succeeds Act it makes clear that local school should not be incentivized by the federal government for implementing their suggestions that should come at the local level.

***[VP] Right. OK so the No Child Left Behind that was the 2001 Bush administration era act 2015 the Obama administration passes Every Student Succeeds act. Those had to go through Congress, they had to be voted on. So, it's not the Secretary of Education alone pushing for policy, but maybe, I guess, influencing policy. Is that fair to say?***

[JK] Yes, there are checks and balances and a process.

***[VP] So does the Secretary of Education get to advise the president on public and private education?***

[JK] Well it's primarily the public education and where the public funds go. So, when you look at the merging of the public and the private what we've seen recently is a push towards school vouchers and school choice. So that is when federal money that goes into school can go to parents to choose the school that they want their child to go to. Right now you go to the school that's in your neighborhood school. So every child should be educated in their neighborhood school regardless of their disability. But if their neighborhood school is failing school choice and vouchers would provide the choice for parents to take the money that would be going into that school and put it elsewhere.

***[VP] And as we know, the current Secretary of Education is very pro-school choice. Is that a fair assessment?***

[JK] Fair assessment, yes.

***[VP] How about levels of education. We're talking preschool through high school, college?***

[JK] Yes. And even early intervention. So, early intervention, which is under the Individuals with Disabilities Education Act, provides federal funding for early intervention for students with an identified disability or a significant delay. And that could be physical. It could be emotional. It could be social. It could be a cognitive impairment. So it really goes from zero to 12. And then there is also the Department of Ed and there are funding of higher education so it gets into college. When you look at Pell Grants the Department of Education gives about $22 billion a year in Pell grants these are grants that do not have to be paid back to students in need to attend college. So it extends into higher ed. Also if you're receiving federal funding from the government which many higher ed institutions do receive then you're required to follow the acts in the laws that are set forth

So if you look at Title 9, which is gender equality in educational institutions, schools that receive federal funding from the government must ensure that there is equal opportunity for education for gender under Title 9 and that's at the K through 12 as well as higher education. And Title 9 is one of those that is considered by some to at least be under threat under the new Trump administration anyway.

***[VP] Can the Department of Education and the Secretary of Education withhold federal funding if a school or a university is not complying with the policy that they've set out?***

[JK] Yes they can. That is how they get the teeth to ensure that people are following those policies.

***[VP] So when it comes to enforcing a policy the Department of Education slash Secretary of Education we're talking about has significant teeth.***

[JK] Sure. And it's important because a lot could potentially go wrong or go right with schools being governed at the local level so there are benefits to schools being governed at the local level. But the federal government essentially acts to put guardrails for the schools that are governed at the local level. So when you look at the Department of Education what these acts are when you look at 5 0 4 and Title 1 title 1 funds are money that go to disadvantaged areas or kids that come from disadvantaged backgrounds. These are some of your most vulnerable. So, that federal funding is going to these local schools and it's providing those guardrails of we need to make sure that every child has the right to a free inappropriate public education in the least restrictive environment regardless of disability race religion etc..

***[VP] You mentioned that the Secretary of Eeducation or D.O.A. doesn't directly influence curriculum.***

[JK] I guess it depends on how you define influence. So with Common Core Common Core was an initiative and it was not a federal regulation. But you were given as I said before incentives for adopting that Common Core. Now that Common Core they were standards for what students should achieve. And for students achieving those standards so they had what they called race through the Top grants where schools were granted federal money for adopting Common Core and showing gains. So technically the Department of Education does not have a universal curriculum. People are very much against the federal government telling local districts and local states what their kids should learn.

But when you look at quote unquote initiatives and then there is money for adopting those initiatives then yes there's obviously some.

***[VP] Let's talk about curriculum for a second because you said that you know the Department of Education the federal department is not supposed to influence curriculum from the top. But if the secretary of education did for example want all schools to include religious education abiding by a certain faith or you know or teaching from a religious text is that something that he or she could make happen. Could you advise the president to turn this into a policy?***

[JK] There are safeguards in place that would make that difficult if anything on the flipside I think that has more of a potential of happening without the safeguards that the federal government has in place. So if you did have a locally elected school board which I think happened recently in one of the suburbs of New York City where the local school board was adopting and suggesting a curriculum that was religious in nature to a public school you run that risk. I think more at the local level than you would at the federal level suggesting it. Can the secretary of education choose to appropriate funds for certain initiatives. Now within the Every Student Succeeds Act, the law is now that you cannot incentivize for adopting initiatives or discourage for that matter.

***[VP] And Congress would have to make those kind of decisions, right, they’re holding the purse strings. So I’m hearing a couple of different things here, you know, the Secretary of Education can have tremendous influence on policy and some level advising the president, of course initiating things -- but also is a little hamstrung by the guardrails as you put it protecting too much federal oversight on local educations. So what can the secretary do to get things done, push their initiatives through?***

[JK] Having that level of access to the president. And then when you have a Congress that could potentially agree you sometimes see that education is divided when it comes to Republican versus Democrat where one would want it more controlled at the state level and the other side would want a little bit more federal oversight. We know with school choice and school vouchers and where that money is allocated. So being that voice to further the agenda to the president I think is the primary way that the Secretary of Education influences education.

***[VP] The current Secretary of Education Betsy Devos was a not uncontroversial choice not having had experience or any children who went through that public education system. So it's come under fire for a lot of decisions and has her share of ardent supporters. What do you think makes a good Secretary of Education?***

[JK] I think at the core the belief in the right to education and that every child regardless of who they are has a right to a free and appropriate public education in the least restrictive setting a respect for the governance of the education system at the local level but also an understanding that the federal government can provide those safeguards and those guardrails to ensure that every child is educated regardless of who they are. Experience with the public school setting and how it works as well as there can be experience in the private sector. But just an understanding of the goal of education and an understanding that when it comes to prevention and when you want to talk about the the school to prison pipeline it's so important to get kids early and to focus on prevention. And we do that the best by having a strong public education system.

***[VP] Dr. Jessica Kendorski, thank you for speaking with us.***

[JK] Thank you.