
THE SCHOOL STARTER CHECKLIST

Understanding the Regulatory Landscape for
Private Schools in America



ABOUT EDCHOICE

EdChoice is a 501(c)(3) nonprofit, nonpartisan organization. Our mission is to advance educational freedom and choice for all as a pathway to successful lives and a stronger society. We are committed to understanding and pursuing a K–12 education ecosystem that empowers every family to choose the learning environment that fits their children’s needs best. EdChoice is the intellectual legacy of Milton and Rose D. Friedman, who founded the organization in 1996 as the Friedman Foundation for Educational Choice. The contents of this publication are intended to provide empirical information and should not be construed as lobbying for any position related to any legislation.

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Executive Summary

So, you're thinking about starting a school.

Well, you're not alone. The past few years have been a fertile time for new school creation. Whether it was the disruption of the pandemic forcing families to improvise as their traditional schools struggled to cope with the challenge of the coronavirus, or the sweeping new private school choice policies passed in state after state, it has never been a better time to be an educational entrepreneur.

That said, starting a school is a challenge. Not only is it a challenge in the ways that most people think—securing a space, hiring teachers, recruiting students, fixing the air conditioner when it goes on the fritz—but it also requires compliance with a host of regulations and requirements put forward by states. These requirements are not always clear and are not always easy to find.

Enter The School Starter Checklist.

The purpose of this guide is to put in one place the state level regulations on private schools so that potential school leaders (and frankly anyone else interested in knowing about private school regulations across the country) can easily find what they need to do to get started in their process. To be 100% clear this is not and should not be understood as legal advice. Exactly how to comply with these laws is outside of our remit. But we hope it is a good starting point in the school creation journey.

Think of this like a checklist. A potential school founder should ask themselves a series of questions:

- Does my school need to be registered, accredited, approved, or licensed by the state?
- Do I need to have liability insurance?
- Must my school meet a set number of days or instructional hours?
- Does the state specify the curriculum or elements of a curriculum that my school must follow?
- What are the health and safety requirements my school must meet?
- Are there requirements for who can teach in the school like certification or licensure?
- What records do I need to keep?
- What information do I need to report to the state?

We partnered with Hanover Research, who combed through statutes and regulatory documents to collect the relevant information.

The following report organizes all 50 states plus Washington, D.C. alphabetically and includes the compilation of private school regulations for each respective state and regulations for virtual learning or microschools when available. When publicly attainable, the following information is included:

- Registration
- Accreditation
- Approval
- State Licensing

- Nonprofit or For-Profit
- Commercial Space
- Liability Insurance
- Compulsory Attendance
- Length of School Year and Day
- Curriculum
- Health and Safety Requirements
- Teacher Certification
- Testing
- Transportation
- Recordkeeping and Reports
- Reimbursement for Performing State and Local Functions

Additionally, information regarding virtual and online schools or microschools and learning pods is included at the end of each state profile when available. If the state does not have a subsection for these school forms, the state likely has no current regulations or legislation regarding private school models for virtual schools or microschools. Legislation or regulations for public school regulations for such models may be found but were not included in this report.

After reviewing all 50 state and District regulations on private, virtual, and microschools, the following trends were identified:

The majority of states have established private school regulations for compulsory attendance, length of school year and day, curriculum, health and safety requirements, transportation, and recordkeeping and reports. For states that do provide a length of the school year and days requirement (n=43), it typically aligns with compulsory attendance laws (n=46), and the number of days students are expected to attend school ranges from 148 to 180 days. Regulations surrounding curriculum (n=43) vary but typically require private schools to offer specific content areas of study and to report on active curriculum. North Dakota, Ohio, and Oklahoma were the only states that did not have regulations for health and safety requirements. Additionally, Ohio was the only state to not publicly provide recordkeeping and report regulations. However, it should be noted that each of the states has “no publicly available information” for the regulations, meaning that requirements may exist but could be shared during the establishment or application process of private schools but not with the public.

The majority of states do not provide information regarding Nonprofit or for-profit status, commercial space requirements, liability insurance regulations, or reimbursement for performing state and local functions. Generally, states that do provide information on private school profit status (n=11) insinuate the regulation through descriptions of other state legislation or the definitions of profit status. For example, a state may define a private school as a “Nonprofit or for-profit” organization or entity, and therefore, the state regulation on profit status would be recorded as “either.” Some states, such as Missouri, Louisiana, and Georgia, require private schools to be Nonprofit to meet approval regulations or participate in equitable services.

The majority of state regulations on accreditation are optional. While most states require registration (n=34), approval (n=25), and licensing (n=38) of private schools, accreditation in 35 states is optional for private schools. Additionally, states may allow private schools to receive third-party accreditation rather than state accreditation. Some states, such as Hawaii or Indiana, may require private schools to be accredited, recognized, or licensed, but the choice of which to acquire is left to the private school.

Some state regulations are required based on outside factors or other regulations. For example, Georgia private schools that participate in the Georgia Special Needs Scholarship (GSNS) program are required to employ certified teachers and participate in state testing. Illinois private schools that seek state approval and Missouri private schools that participate in federal and state grant programs must register with their respective states. Montana’s accredited private schools are also required to administer state testing to meet accreditation regulations. Massachusetts’ regulations are specifically unique as some regulations are up to interpretation. In Massachusetts, school approval committees determine private school approval status when private school instruction is equally thorough and efficient when compared to local public schools.

Overall, states are less likely to have descriptive regulations surrounding virtual and microschoools compared to private schools. This could be due to the novelty of virtual and microschoools in recent years and following COVID-19. When considering all states, 26 have established some level of virtual or online instruction regulations, and only 11 have publicly shared regulations for microschoools or learning pods.

- About half of the states have definitive regulations for virtual and online schools. For example, the state of New Jersey requires virtual and remote instruction to meet Commissioner-established criteria and describes how the instruction is both equitable and accessible. In New Jersey, the virtual and remote instruction regulation applies to all publicly funded “district boards of education, charter school and renaissance school project board of trustees, and private agencies that provide educational services.” Additionally, some states, such as Massachusetts, have limited regulations. Massachusetts’ legislation states that private virtual schools must have approval from the city or town school committee and that there is no process of accreditation or reporting for private virtual schools. The state also categorizes virtual private schools as a form of homeschooling.
- When it comes to microschoools or learning pods, most states do not have regulations established. Out of all states, only nine have publicly shared any information regarding the microschoool regulations. Overall, states that provided regulations on these schools categorized them as a form of homeschooling. Some schools in states such as Massachusetts, Michigan, and Nevada are beginning to add learning pods and microschoools into legislation. For example, Michigan has added legislation on the Learning Pod Pilot Program. The legislation discusses funding and requirements for each learning pod. Nevada legislation provides various ways in which microschoools and learning pods can be established. Schools that are set up as private or charter microschoools are expected to follow certain requirements as determined by the state government, whereas those that model homeschooling co-ops are expected to align with Nevada Academic Content Standards and have more flexibility in standards.

A Note on Data Sources

Our research partners at Hanover assembled a comprehensive list of state regulations and legislation pertaining to private schools by conducting a broad search and identifying reliable sources. The initial search strategy involved using a variety of phrases, including combinations of state names with terms like “private school regulations,” “legislation,” “guides,” “laws,” and “nonpublic schools.” Hanover prioritized sources such as state departments of education (DoE) and state codes before resorting to other sources. Where state sources were not available, Hanover relied on the U.S. Department of Education’s State Regulation of Private and Home Schools map. The various state pages associated with that map have been updated at different times, with some more recent than others. Given the diverse ways in which each state presents and publicizes its laws, there were many instances where the exact information for the

current project could only be found using this source and was quoted directly from the U.S. Department of Education.

To the best of our abilities, we provided citations and links for our data sources, but we know that these change frequently. We apologize in advance if a link has gone bad or if a new law has been passed or regulation has been promulgated that supersedes what we have in this document.

Additional Resources

If you still have questions about starting or running a private school, there are organizations out there to help.

Nearly every state has an affiliate of the **Council for American Private Education** (CAPE). A quick visit to their website can find contact information for your state affiliate.

Many states have a specific non-public schools office in their Department of Education. A web search should be able to identify the appropriate contact person. There is also the federal **Office of Nonpublic Education**. It maintains a website with a host of helpful information.

Alabama

Alabama private schools must register with the state, unless they are church schools ([AL Code § 16-28-1](#)). Curricula and must be similar to the content and standards developed for public schools. Private school teachers must meet the same standards as those developed for public school teachers.

Administrative Code: <https://admincode.legislature.state.al.us/administrative-code/290>

Private School Guidelines: <https://www.accs.edu/wp-content/uploads/2019/01/GUIDELINES-FOR-PRIVATE-SCHOOL-LICENSE-2018.pdf>

CaseText Link: <https://casetext.com/regulation/alabama-administrative-code/title-290-alabama-state-board-of-education/chapter-290-030-050-private-school-licensure-in-alabama/section-290-030-050-04-licensing-a-private-school>

Justia Link: <https://law.justia.com/codes/alabama/2022/title-16/>

U.S. Department of Education (DoE)—Alabama State Regulations: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/alabama.html> (last updated April 2013)

Private School Regulations

Registration: Required, with the exception of church schools. All private schools or institutions of any kind having a school in connection therewith, except church schools as defined in Section 16-28-1, shall register annually on or before October 10 with the Department of Education and shall report on uniform blanks furnished by the Department of Education, giving such statistics as relate to the number of pupils, the number of instructors, enrollment, attendance, course of study, length of term, cost of tuition, funds, value of property, and the general condition of the school. This section may not be interpreted or construed to authorize the Department of Education, the State Board of Education, or the State Superintendent of Education to license or regulate any private, nonpublic, or church school offering instruction in grades K-12, or any combination thereof. (Justia: [AL Code § 16-1-11](#))

State Accreditation: No known requirements. (Justia: [AL Code § 16-1-11.1](#))

State Approval: No known requirements. (Justia: [AL Code § 16-1-11.1](#))

State Licensing: No requirements. The State of Alabama has no compelling interest to burden by license or regulation nonpublic schools, which include private, church, parochial, and religious schools offering educational instruction in grades K-12, as well as home-based schools and home-schooled students. (Justia: [AL Code § 16-1-11.1](#))

Non-Profit or For-Profit: Either. Private school definition states operation of either a for profit or nonprofit entity as opposed to publicly owned or operated schools. For the purposes of this subdivision, a for profit entity is any school operated as a business corporation, partnership, or proprietorship and a nonprofit entity is any school established by a nonprofit charter or articles of incorporation with bylaws establishing a nonprofit mode of operation that is determined by the Internal Revenue Service to be eligible for tax deductible contributions in accordance with 26 U.S.C. §501I(3). (Justia: [AL Code § 16-46-1\(9\) \(2012\)](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Children between the ages of six and 17 are required to attend school in Alabama, with a few exceptions that include certain physical/mental conditions and regular employment. Except as otherwise provided in subsection (b), every child between the ages of six and 17 years shall be required to attend a public school, private school, church school, or be instructed by a competent private tutor for the entire length of the school term in every scholastic year. Alabama law offers few options for parents who choose to homeschool their children, including: through a church school (statute includes “home programs” in its definition), private school option (must register with the State Board of Education, keep detailed records, etc.), under the instruction of a private tutor (may include parents who are certified teachers). (Justia: [AL Code § 16-28-3 \(2022\)](#))

Length of School Year and Day: See *Compulsory Attendance*. According to the US Department of Education, “Every child between the ages of six and 17 is required to attend a public school, private school, church school, or be instructed by a private tutor certified by the state of Alabama for the entire length of the school term in every scholastic subject under the compulsory attendance law.” (Justia: [AL Code § 16-28-3 \(2022\)](#) and [Alabama State Regulations](#)) Though this regulation is a responsibility of parents and caregivers, private schools must ensure that they are offering the required day and school year lengths.

Curriculum: Each course, the curriculum, and instruction provided by each private school shall be consistent in quality and content with similar public school programs and standards established for specific programs by the Department and/or appropriate accrediting agency. ([Ala. Admin. Code R. 290-030-050.05](#))

Health and Safety Requirements: A certificate of immunization or testing for the prevention of communicable diseases designated by the state health officer is required prior to admittance to a private school. [Code of Alabama 1975 §16-30-4](#).

No teacher or school administrator employed by a nonpublic school is excluded from participating in in-service teacher education institutes or curriculum development programs for drug abuse prevention provided under Chapter 41, Drug Abuse Education. [Code of Alabama 1975 §16-41-5](#).

An additional penalty of 5 years’ incarceration, with no provision for probation, is imposed for the unlawful sale of a controlled substance on the campus of a private school or within a three-mile radius of the campus. [Code of Alabama 1975 §13a-12-250](#).

Alabama requires all private schools to conduct monthly fire drills and to have all doors and exits open out, and that all such doors and exits be unlocked during school hours. [Code of Alabama 1975 §36-19-10](#).

A nonpublic school must seek and obtain a criminal history background information check on all “applicants seeking positions with, and on all current employees and current employees under review employed by any nonpublic school, who have unsupervised access to or who provide education, training, instruction, or supervision for children in an educational setting.” Chapter 22A, Alabama Child Protection Act of 1999. Code of Alabama 1975 §16-22A-5(b). Criminal history background information reports are to be sent from the Department of Public Safety to the State Department of Education. [Code of Alabama 1975 §16-22A-5\(d\)](#).

Private schools must fully meet the building code requirements unless the building was used for that purpose prior to the effective date of the code. [Code of Alabama 1975 §41-9-163\(c\)](#)

Teacher Certification: Required. Any provision of law to the contrary notwithstanding, the State Department of Education's requirements for teacher certification and recertification shall be the same for any person who teaches in a public school or a nonpublic school, whether accredited or not, and without regard to whether the otherwise qualified person is or was employed by a nonpublic K-12 private, church, parochial, or religious school that is not subject to state regulation. ([AL Code § 16-1-11.5](#))

Testing: No publicly available information.

Transportation: A license tax or registration fee of \$13.00 is imposed on motor buses owned by a church or a private school that are used only for the purposes of the institution. ([Code of Alabama 1975 §40-12-246 \(d\)](#))

Recordkeeping and Reports: At the end of the fifth day from the opening of the public school, the principal teacher of each private school, but not church school, must report to the local superintendent the names and addresses of all children enrolled; and thereafter, at least weekly the names of students absent without excuse. [Code of Alabama. 1975 §16-28-7.](#)

The principal teacher of private and church schools must keep an attendance register showing the enrollment of the school and every absence of each enrolled child from school for a half-day or more. Code of Alabama 1975 §16-28-8. The registry is admissible as evidence in compulsory attendance hearings. [Code of Alabama 1975 §16-28-23.](#)

Private schools, i.e. a profit or nonprofit entity as opposed to publicly owned or operated schools, which cease operations shall place student academic attendance and financial aid records in the following repository: (1) if merged, consolidated, or change of ownership, in the continuing school; (2) if part of a system, organization, franchise, or church ministry, in the administrative office; (3) if without system support, with the local superintendent of the public county or city. [Code of Alabama 1975 §16-46-3\(e\).](#)

Reimbursement for Performing State and Local Functions: No private school shall seek reimbursement from any student for any charges on any enrollment contract if such school was not the holder of a license as required by Code of Ala. 1975, § 16-46-4(3) and § 16-46-6(a), at the time that such school or its representative entered the contract. No licensed private school, no public school, and no college or university subject to the State Board of Education shall accept credits from a school which was not exempted, entitled to an exemption, or licensed as required under the provisions of Code of Ala. 1975, Title 16, Chapter 46 when educational credentials were conferred. (CaseText: [Ala. Admin. Code. R. 290-030-050.04](#))

Alaska

Alaska has no registration, accreditation, or licensing requirements for private schools. Private schools must operate on a “regular schedule” for at least 180 school days per year, and they must report monthly attendance records to the Commissioner of Education. Non-exempt Private schools must employ certified teachers.

U.S. Department of Education (DoE) – Alaska State Regulation:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/alaska.html> (updated July 2013)

Alaska State Legislature: <https://w3.akleg.gov/index.php>

Justia: <https://law.justia.com/codes/alaska/2022/title-14/>

Private School Regulations

Private schools that elect to comply with Alaska Stat. §§14.45.100–130 are considered "exempt schools," i.e. exempt from other state education requirements. However, health and safety provisions apply equally to "exempt" and "non-exempt" private schools. Alaska Stat. §14.45.100. Non-exempt schools are religious or other private schools not operated in compliance with Alaska Stat. §§14.45.100–130 and are not exempt from education laws and regulations. Alaska Stat. §14.45.030. (Justia: [AK Stat § 14.45.100](#)) Except as provided in (b) of this section, a religious or other private school that complies with AS 14.45.100 - 14.45.130 is exempt from other provisions of law and regulations relating to education except law and regulations relating to physical health, fire safety, sanitation, immunization, and physical examinations. [AK Stat § 14.45.100](#)

Registration: No known requirements. ([Alaska State Regulations](#))

State Accreditation: Accreditation is optional. The Alaska Department of Education and Early Development has a duty to accredit private schools that request accreditation and meet accreditation standards as prescribed by regulation. (In practice, Alaska does not accredit schools and has not adopted accreditation regulations, but has an informal agreement with the Northwest Association of Schools and Colleges to provide accreditation to public and private schools that request accreditation.) (Justia: [Alaska Stat. §14.07.020\(10\)](#))

State Approval: No requirements. (Justia: [AK Stat § 14.45.100](#))

State Licensing: No requirements. ([Alaska State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: The parent or guardian of a child of compulsory school age enrolled in a religious or other private school that complies with AS 14.45.100 - 14.45.130 shall file an annual notice of enrollment in the school for the child with the local public school superintendent for the area in which the child resides on a form provided by the department. The form shall be signed by the parent or guardian and the chief administrative officer of the school and returned to the local public school

superintendent by the parent or guardian. The school shall notify the local public school superintendent within a reasonable time if the child is no longer enrolled in or attending the school.

A religious or other private school that elects to comply with AS 14.45.100 - 14.45.130 shall maintain monthly attendance records for each student enrolled in the school, shall operate on a regular schedule, excluding reasonable holidays and vacations, during at least 180 days of the year, shall make an annual report to the commissioner of the number of students in each grade and the school calendar, and shall comply with the provisions concerning missing children under AS 14.30.700 - 14.30.720. (Justia: [AK Stat § 14.45.110](#))

Length of School Year and Day: Non-exempt private schools must comply with the laws and regulations relating to education. Alaska Stat. §14.45.030. (Justia: [AK Stat § 14.45.030](#) (2015))

Curriculum: No publicly available information.

Health and Safety Requirements: Before entry in a state public school district or nonpublic school offering pre-elementary education through the 12th grade, or any combination of these grades, a child shall be immunized against (1) diphtheria, tetanus, polio, pertussis, measles, mumps, hepatitis A, hepatitis B, and rubella, except rubella is not required in children 12 years of age or older; and (2) beginning July 1, 2009, varicella.

This section does not apply if the child (1) has a valid immunization certificate consisting of (A) a statement by a physician listing the date that each required immunization was given; or (B) a copy of a clinic or health center record listing the date that each required immunization was given; (2) has a statement signed by a doctor of medicine (M.D.), doctor of osteopathy (D.O.), physician assistant, or advanced nurse practitioner licensed to practice in this state, stating that immunizations would, in that individual's professional opinion, be injurious to the health of the child or members of the child's family or household; or (3) has an affidavit signed by his parent or guardian affirming that immunization conflicts with the tenets and practices of the church or religious denomination of which the applicant is a member.

The Alaska Department of Education and Early Development has a duty to prescribe by regulation standards to assure healthful and safe conditions in the private schools. Standards for private schools may not be more stringent than those for public schools. [Alaska Stat. §14.07.020\(7\)](#).

Private schools must instruct pupils by means of drills to safely exit school buildings in an emergency. Drills must be conducted once each month during the school term, weather permitting. [Alaska Stat. §14.03.140](#).

School teachers and school administrative staff members of private schools who in the performance of their occupational duties have reasonable cause to suspect that a child has suffered harm as a result of child abuse or neglect must immediately report the harm to the Alaska Department of Education. A person required to report child abuse or neglect to the Department is not relieved of the obligation by notifying his supervisor of the harm. If the alleged abuse occurred at a private school and was caused by a school employee, the law enforcement agency will notify the chief administrator of the school. In the event the allegation of abuse is against the chief administrator or his immediate family, the agency will notify the Commissioner of Education. The notification must set out the factual determination of the law enforcement agency. [Alaska Stat. §47.17.020](#).

Private school officials have the authority to search school lockers as provided in [Alaska Stat. §14.03.105](#).

Teacher Certification: Nonpublic schools which employ noncertificated teachers will not be approved by the state, or if approved, will be dropped from the register of approved schools. [4 AAC 12.300\(f\)](#)

Teacher certification is required for non-exempt private schools, but not required for exempt private schools. (Justia: [AK Stat § 14.45.100](#))

Testing: Exempt schools must administer a nationally standardized test selected by the chief administrative officer of the school to all students enrolled in grades four, six, and eight at least once each school year. The test must measure achievement in English grammar, reading, spelling and mathematics. The school must maintain records of the results and make them available to parents or guardians. Composite test results for the school must be made available annually to the Alaska Department of Education and Early Development. These results are not public information unless the public school is also required to release identical information. [Alaska Stat. §14.45.120.](#)

Transportation: In those places in the state where the department or a school district provides transportation for children attending public schools, the department also shall provide transportation for children who, in compliance with the provisions of [AS 14.30](#), attend nonpublic schools that are administered in compliance with state law where the children, in order to reach the nonpublic schools, must travel distances comparable to, and over routes the same as, the distances and routes over which the children attending public schools are transported. The commissioner shall administer this nonpublic school student transportation program, integrating it into existing systems as much as feasible, and the cost of the program shall be paid from funds appropriated for that purpose by the legislature. ([AS 14.09.020 Sec. 14.09.020](#))

Recordkeeping and Reports: A religious or other private school that elects to comply with AS 14.45.100 – 14.45.130 shall maintain permanent student records reflecting immunizations, physical examinations, standardized testing, academic achievement, courses taken at the school, and level of eligibility for an Alaska performance scholarship under AS 14.43.810 – 14.43.849.

The chief administrative officer of a school that elects to comply with AS 14.45.100 – 14.45.130 shall certify to the department, under oath or by affirmation, that the records required under (a) of this section are being maintained. (Justia: [AK Stat § 14.45.130](#))

Reimbursement for Performing State and Local Functions: No publicly available information.

Arizona

Arizona does not have registration or licensing requirements for private schools. Private schools must operate throughout the regular school year for their students to satisfy the compulsory school attendance statute. Teachers in private schools do not have to be fully certified.

Administrative Code: <https://azsos.gov/rules/arizona-administrative-code>

Arizona Statutes: <https://www.azleg.gov/arsDetail/?title=15>

U.S Department of Education (DoE) – Arizona State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/arizona.html> (updated July 2012)

CaseText: <https://casetext.com/regulation/arizona-administrative-code/title-7-education/chapter-2-state-board-of-education/article-4-special-education/section-r7-2-402-standards-for-approval-of-special-education-programs-in-private-schools>

Private School Regulations

Definition: Any nonpublic educational institution where academic instruction is provided, including nonsectarian and parochial schools, that are not under the jurisdiction of the state or a public education agency.

Registration: No known requirements. ([Ariz. Rev. Stat. Ann. §15-161](#))

State Accreditation: No known requirements. ([Ariz. Rev. Stat. Ann. §15-161](#))

State Approval: No known requirements. ([Ariz. Rev. Stat. Ann. §15-161](#))

State Licensing: No known requirements. ([Ariz. Rev. Stat. Ann. §15-161](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: Yes. ([Ariz. Admin. Code § 7-2-402](#))

Compulsory Attendance: Every child between the ages of six and 16 years shall attend a school and shall be provided instruction in at least the subjects or reading, grammar, mathematics, social studies, and science. The person who has custody of the child shall choose a public, private, or charter school or a homeschool as defined in this section to provide instruction or shall sign a contract to participate in an Arizona empowerment scholarship account pursuant to section 15-2402. ([Arizona Statutes 15-802](#))

Length of School Year and Day: To comply with the Arizona compulsory school attendance statute, private school students must attend school for the full-time school is in session in the local school district. [Ariz. Rev. Stat. Ann. §15-802B.2](#).

Curriculum: No requirements.

Health and Safety Requirements: Children are not allowed to attend school without submitting documentary proof of immunization to the school administrator, unless they are exempt under §15-873, or in the process of immunization. [Ariz. Rev. Stat. Ann. §15-872](#).

The fire marshal is responsible for establishing programs for evacuating school buildings and instructing students in private schools on the importance of fire prevention and control. Ariz. Rev. Stat. Ann. §§41-2165; 2163A.4.

Arizona requires students, teachers, and visitors in private schools to use protective eyewear while participating in or observing certain educational activities in vocational, technical and industrial arts, art, or laboratory science. Private or parochial schools must equip their schools with the appropriate protective eyewear. (CaseText: [Ariz. Rev. Stat. Ann. §15-151](#)).

Arizona places additional criminal penalties on persons convicted of selling illegal drugs in a drug-free school zone. The administrative officer of a nonpublic school shall place and maintain signs identifying the school and its grounds as a drug-free school zone. Illegal drug transactions observed by school personnel must be reported. School records of alleged student violations must be made available to the peace officer upon written request. [Ariz. Rev. Stat. Ann. §13-3411](#).

Teacher Certification: According to the Arizona Department of Education, “Private school teachers are not required to be fully certified. However, if they meet the State standard for fully certified, they can be reported as such under column 3 in section A of the Personnel report [[Personnel Private Schools – Ariz. Dept. of Education](#) pg. 5]

“A special education teacher must have a bachelor’s degree and full state certification as a special education teacher. For a special education teacher of record in a core academic subject area, a teacher is required to meet the same subject matter competency requirements the same as elementary, middle grade, junior high, and secondary teachers.” ([Personnel Private Schools – Ariz. Dept. of Education](#) pg. 4)

Testing: No publicly available information.

Transportation: No publicly available information.

Recordkeeping and Reports: Upon enrollment of the pupil, private schools must maintain a copy in the pupil's file of the reliable proof of her or his identity and age, e.g. birth certificate or baptismal certificate. Any inaccurate or suspicious affidavit must be reported to the local law enforcement agency.

Within five school days after enrolling a transfer student from a private school or another school district, a school must request directly from the pupil's previous school a certified copy of the transcript's record with "due diligence." Any school requested to forward a copy of a student's record must do so within 10 days unless financial debt is owed or the record has been flagged pursuant to section 15-829 referencing a missing child reported by a parent or guardian. If the record is flagged, the requested school must not notify the local law enforcement agency of the request and not forward the copy of the record. [Ariz. Rev. Stat. Ann. §15-828 A-F](#).

By November 30 of each school year, each school district and private school shall complete and file a report with the local health department and the department of health services, using forms provided by the department of health services. The report shall state the number of pupils attending who have completed required immunizations or who have submitted laboratory evidence of immunity, the number of pupils attending with uncompleted required immunizations and the number of pupils attending with an exemption from immunization pursuant to section 15-873. [Ariz. Rev. Stat. Ann. §15-874](#).

Parents enrolling students in private schools must file an affidavit with the county superintendent stating that the student is attending a school for the full time that the schools in the school district are in session, and the name and address of the school that the child is attending. [Ariz. Rev. Stat. Ann. §15-802B.2](#).

Before January 15 each year, the superintendent of public instruction must make an annual report to the governor and state legislature of the number of children attending private schools. [Ariz. Rev. Stat. Ann. §15-255](#).

Reimbursement for Performing State and Local Functions: No publicly available information.

Arkansas

Arkansas does not require private schools to be accredited or licensed. However, private schools that are accredited by the Department of Education may be entitled to assignments of student teachers from Arkansas colleges and universities.

Arkansas Nonpublic School Accrediting Association: <https://www.ansaa.com/legislativelaws.html>

U.S. Department of Education (DoE) – Arkansas State Regulations:
<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/arkansas.html> (September 2012)

Private School Regulations

Registration: According to the US Department of Education, “No requirements. In order to found an institution of learning, it must be incorporated under the name listed in the institution's articles of association. "Any number of persons, the multiple of three (3), not less than six (6) nor more than thirty-three (33)," must be on the board to incorporate. Ark. Code Ann. §6-2-102.” ([Arkansas State Regulations](#))

State Accreditation: According to the US Department of Education, “No requirements. There are no requirements for accreditation, registration, licensing, or approval from the state for private schools in Arkansas. Private schools may be accredited through other organizations such as the Arkansas Nonpublic School Accrediting Association.” ([Arkansas State Regulations](#))

State Approval: No requirements. ([Arkansas State Regulations](#))

State Licensing: No requirements. ([Arkansas State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: [6-18-207](#) and [6-18-201](#). According to the Arkansas Nonpublic School Accrediting Association, “Every Parent, guardian, or other person residing within the State of Arkansas having custody or charge of any child age five (5) through seventeen (17) years on or before August 1 of that year shall enroll and send the child to a public, private, or parochial school, or provide a home school for the child. NOTE: In 2010, the ANSAA board voted to allow our non-public schools a choice of keeping the original school entrance date of September 15 for kindergarten or going with the state ruling of August 1. This variance does not violate the law for compulsory school attendance since a student turning 5 between August 1-September 15 meets the minimum requirement for school attendance.” ([Arkansas Nonpublic School Accreditation Association](#))

Length of School Year and Day: No publicly available information.

Curriculum: [6-16-104](#). According to the Arkansas Nonpublic School Accrediting Association, “Instruction in English--The basic language of instruction in all schools of the state, including private schools, is the English language only. [6-16-143](#). CPR Training / Graduation Requirement – requires students in grades 9-12 to be trained in the psychomotor skills needed for cardiopulmonary resuscitation (CPR) before graduating from high school, beginning in the 2014-2015 school year. This can be

incorporated into the Health curriculum. CPR Certification is not required, only training. [6-16-147](#). Computer Science Offering - requires each public high school and charter school to offer a course in computer science beginning in 2015-2016. [6-16-135](#). Personal and family finance standards. requires students to be trained in personal and family finance before graduating from high school. This can be incorporated into the Economics curriculum. [6-16-1406](#). Digital Learning Course / Graduation Requirement - requires that schools provide at least one (1) digital learning course to their students as either a primary or supplementary method of instruction. The course can fall into one of the following categories:

“Blended Learning – education in which instruction and content are delivered through supervised instruction in a classroom and online delivery of instruction with some element of student control over time, place, path, or pace.

“Digital Learning – a digital technology or internet-based educational delivery model that does not rely exclusively on compressed interactive video (CIV). Digital learning includes online and blended learning. If a school is using outside providers, they must be from the approved provider list provided by ADE.

“Online Learning – is education in which instruction and content are delivered primarily over the Internet. The term does not include print-based correspondence education, broadcast television or radio, videocassettes, compact disks and stand-alone educational software programs that do not have a significant Internet-based [sic].

[6-47-404](#) and [6-47-405](#). Distance Learning Participation – Allows students enrolled in private schools to participate in distance learning courses provided that conditions for participation are met. A student may take all course virtually through a public school district or open enrollment charter school." ([Arkansas Nonpublic School Accrediting Association](#))

Health and Safety Requirements: According to the Arkansas Nonpublic School Accrediting Association, “Except as otherwise provided by law, no infant or child shall be admitted to a public or private school or child care facility of this state who has not been age-appropriately immunized from diseases as designated by the State Board of Health, as evidenced by a certificate of a licensed physician or a public health department acknowledging the immunization. A facility may temporarily admit a child provided that the child becomes appropriately immunized, is in-process of receiving the needed doses of vaccine, or shows proof that they have applied for an exemption for those vaccines he/she has not received within thirty (30) calendar days after the child’s original admission or by October 1st for Tdap and Meningococcal vaccines at age 11 and 16 years, respectively. "In process" means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional doses. When a student is admitted who is in the process of completing the required minimum immunizations, the facility shall require each student to complete the required doses on schedule. A written statement from a public health nurse or private physician stating that the student is in process and containing a date when he/she must return for the next immunization shall be in the student's file. If a student does not produce documentation of additional immunizations per the schedule or show proof that they have applied for an exemption from the immunization requirements, they must be excluded from the facility until documentation is provided. The immunization series does not need to be restarted as each dose of vaccine counts toward the minimum requirements.

Children whose parents or guardians object based on religious tenets and practices of a recognized church or religious denomination may request an exemption from the state which must be renewed annually.” ([Arkansas Nonpublic School Accrediting Association 6-18-702](#))

Private schools must institute as soon as possible a continuing scoliosis screening program in accordance with State Board of Health regulations; girls in the 6th and 8th grades and boys in the 8th grade.” ([Arkansas Nonpublic School Accrediting Association 20-15-802](#)).

[17-1-105](#). Notification of Mandatory Reporters --Each board, commission, or other entity that licenses mandatory reporters of child abuse and neglect shall provide notice to each licensee concerning the online and web-based child abuse reporting program required under §16-10-138.

[6-82-306](#). Arkansas Governor’s School Eligibility -- Eligibility provisions for the Arkansas Governor’s Scholars Program that the weight assigned to each individual criterion under this subdivision does not place a home-schooled, public school, or private school student at a disadvantage.

[Act 461](#) - "Fairness in Women’s Sports Act” which states that interscholastic, intercollegiate, intramural, or club athletic team or sport shall be expressly designated as male or female based on biological sex. The law applies to all public schools and any private schools that compete against them.

[Act 953](#) - “Gender Integrity Reinforcement Legislation for Sports (Girls) Act” which states that participants in athletics, sports, or similar activities are designated as male, female, or coed/mixed. Members of the male sex cannot participate in athletics, sports, or other similar activity that is expressly designated for females. Applies to public schools and private schools that compete with them.

[Act 286](#) – Requires private (and public) schools to have at least two employees trained for implementation of a student seizure action plan by the 2024-2025 school year.

Teacher Certification Teacher certification is not required for private school teachers. ([Arkansas Nonpublic School Accrediting Association](#))

Testing: No state policy at this time. ([Arkansas State Regulations](#))

Transportation: According to the Arkansas Nonpublic School Accreditation Association, “[6-19-108](#). Bus Driver Certification – A driver or operator of a school bus either privately or publicly owned is required to pass a series of tests to determine physical fitness and driving ability. In addition, all school bus drivers will receive 24 hours of pre-Inservice training and 3 hours of annually training in accordance with the regulations established by the Division of Public School Academic Facilities and Transportation. [6-19-116](#) and [6-19-117](#). School Bus Safety Equipment -- All buses operated by public or private schools must meet certain safety standards including installation of a flashing white strobe light, a crossing gate, and appropriate mirrors” ([Arkansas Nonpublic School Accreditation Association](#))

Recordkeeping and Reports: The Arkansas Department of Education's Statewide Information System (SIS) collects private school information, including: (1) the name of the private school; (2) the private school administrator's name and contact information; (3) mailing address(es) for the school; (4) grade levels taught in the private school; (5) number of students enrolled; and (6) whether the private school wishes to participate in Title I Federal Programs, Title II Federal Programs, Title III Federal Programs, Title IV Federal Programs (Drug Free Schools), and Title V Federal Programs. SIS also collects the number of private school students receiving Title I services in reading, language arts, and mathematics. ([Arkansas State Regulations](#))

Reimbursement for Performing State and Local Functions: There is no state policy at this time. ([Arkansas State Regulations](#))

California

California private schools must register with the state, but accreditation, approval, and licensing are optional. Private schools must provide education “full-time,” though the precise legal meaning of this term appears to be unclear in California. Teachers in private schools are not required to be certified, but they must be persons “capable of teaching.”

California (CA) Department of Education (DoE) – Private Schools:

<https://www.cde.ca.gov/sp/ps/psfaq.asp#a1>

California Public Law: <https://california.public.law/>

FindLaw: <https://codes.findlaw.com/ca/education-code/>

Justia: <https://law.justia.com/codes/california/2022/code-edc/>

U.S. Department of Education (DoE) – California State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/california.html> (updated 2014)

Private School Regulations

Registration: According to the California Department of Education, “Registration is mandatory. Private schools are required to file an affidavit annually with the superintendent of public instruction between the first and fifteenth day of October. *Cal. Educ. Code §33190.*” ([California State Regulations.](#))

State Accreditation: Accreditation is optional. According to the California Department of Education, “The California Department of Education (CDE) does not have the authority to license, evaluate, recognize, approve, or endorse any private school or course. The CDE does not oversee any aspect of private school operations which are considered private businesses.

The CDE does oversee aspects of several Federal Title programs that offer services to nonprofit private schools.

Private schools may optionally seek accreditation through an accrediting body.

The [California Education Code] does not require that private school teachers hold a state teaching credential.” ([California Department of Education](#))

State Approval: According to the US Department of Education, “Approval is optional. California does not approve private schools. However, nonpublic, nonsectarian special education schools enroll both privately enrolled and public school-placed students and therefore, are considered a type of private school. These schools are certified by the California Department of Education to provide special education services.” ([California State Regulations](#))

State Licensing: Not required. According to the California Department of Education, “In California, no state agency licenses, regulates, or oversees private schools, except for NPS. A private school is a business or nonprofit entity that is required to comply with requirements imposed by the jurisdiction, county, city, or other locality in which it is located, such as zoning, health and safety codes, fire codes, or other local ordinances.” ([California Department of Education](#))

Non-Profit or For-Profit: Either. ([CA DoE – Private Schools](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the California Department of Education, “Each person between 6 and 18 years of age to attend public, full-time day school and requires their parents or guardians to send them unless legally exempt.” The California Department of Education also states, “([California Department of Education](#)) The two principal exemptions from attending public school are set forth in EC Section 48222, under which children being instructed in a private, full-time day school by persons capable of teaching shall be exempt; and in EC Section 48224, under which children being instructed in study and recitation for at least three hours a day for 175 days each calendar year in the several branches of study required to be taught in the public schools of this state and in the English language by a private tutor or other person holding a valid California teaching credential for the grade level being taught shall be exempt.” ([California Department of Education](#))

Length of School Year and Day:

According to the California Department of Education, “In California, exemption from public school attendance requires enrollment in and instruction of a student by a full-time private school. A full-time private school may include a parent instructing his or her own child at home if the home school meets the criteria applied to other private schools. All private schools must file the Private School Affidavit annually as required by EC Section 33190. Credentialed tutors seeking exemption for a student must offer instruction for at least 3 hours a day for 175 days in a year.

Students not enrolled in a public school and not exempt by California Education Code may be declared truant by the local school district.” ([California Department of Education](#))

Curriculum: According to the California Department of Education, “Private schools select and provide all curriculum, instruction, and instructional materials to students. However, to meet the statutory criteria as a private full-time school, the private school must, as stated in EC Section 48222, offer instruction in the several branches of study required to be taught in the public schools of the state to the same general degree of depth. While the State does not provide any educational curriculum, instructional or other materials, or standardized tests or assessments, to children who are educated privately, there are curricular guidelines in the form of content standards for each grade level accessible on the CDE Web site.” ([California Department of Education](#))

Health and Safety Requirements: Beginning in July 1, 2015, the state fire marshal must propose for adoption standards for carbon monoxide devices to be used in public and private school buildings, including their proper installation. School facilities used for k–12 students that were built before the adoption of the 2016 California Building Standards Code with a fossil fuel burning furnace inside are encouraged to have carbon monoxide devices in these buildings. (FindLaw: [Cal. Educ. Code §32081](#)).

California provides financial assistance to private and parochial schools under the Child Nutrition Program. The funding reimburses the school cafeteria accounts based upon the number of qualifying meals served to students. (Justia: [Cal. Educ. Code §41311](#), FindLaw: [§49530.5](#), [§49531](#)).

Private elementary and secondary schools must ensure that admitted students at or before arrival be fully immunized for diphtheria, haemophilus influenzae type b, measles, mumps and pertussis (except for students who are seven years or older), poliomyelitis, rubella, tetanus, hepatitis b, varicella (chicken pox), and any other disease deemed appropriate by the state department of health services. Those students

entering seventh grade must be fully immunized against pertussis (includes all boosters appropriate for the student's age). [Cal. Health and Safety Code §120335](#).

Prior to employment at a private or parochial elementary or secondary school, individuals must present a certificate showing that they have been examined within the last 60 days and found to be free of communicable tuberculosis. Additional testing is required at least once each four years or more if directed by the school. The private school is responsible for maintaining up-to-date certificates for each person covered. Private schools have the discretion to waive this requirement for employees who are employed less than a school year and who do not have frequent or prolonged contact with pupils. Employees transporting students must provide a certificate unless they transport students on an infrequent basis not to exceed once a month. (Justia: [Cal. Health & Safety Code §121525](#))

Volunteers must also present a certificate that they have been found free of communicable tuberculosis within the last four years. At the discretion of the governing authority of a private school, this section shall not apply to volunteers whose functions do not necessitate frequent or prolonged contact with pupils. (Justia: [Cal. Health & Safety Code §121545](#))

Private school buildings are subject to an annual inspection through the state fire marshal's office. [Cal. Health & Safety Code §13146.3](#).

Private schools entirely enclosed (except for building walls) by fences or walls must maintain gates of sufficient size to permit the entrance of ambulances, police equipment, and firefighting apparatus. Locking devices must be designed to permit ready entrance by chain or bolt cutting devices. (FindLaw: [Cal. Educ. Code §32020](#))

California requires each applicant for employment in a position requiring contact with minor pupils at private elementary and high schools to obtain criminal record summaries from the Department of Justice (DOJ) and the Federal Bureau of Investigation. DOJ will provide the records to the designated private school employers to be maintained in a secured file separate from other files. The criminal record summary will include only arrests resulting in conviction or pending final adjudication for any sex offense, controlled substance offense, or crime of violence. [Cal. Educ. Code §44237\(a\), \(b\), \(c\)](#).

A county superintendent may verify that the nonpublic, nonsectarian school or agency has received a successful criminal background check clearance and has enrolled in subsequent arrest notice service. [Cal. Educ. Code §44237](#).

Private schools are required to equip the school with a first aid kit to accompany pupils whenever they are taken on school-sponsored field trips. Cal. Educ. Code §32040. When field trips are taken into areas commonly known to be infested by poisonous snakes, the first aid kit must contain medically accepted snakebite remedies. The field trip must be accompanied by an agent of the school who has completed a course in first aid certified by the American Red Cross that emphasizes the treatment of snakebites. (FindLaw: [Cal. Educ. Code §32043](#).)

Art and craft materials deemed to contain a toxic substance by the California Office of Environmental Health Hazard Assessment or a toxic substance causing chronic illness are prohibited for use by students in K-6 grade private schools. Materials containing toxic substances causing chronic illness may not be used by students in 7-12 grade private schools unless it meets labeling standards [Cal. Educ. Code §32064](#).

The governing board of each private school must establish an earthquake emergency procedure system in every private school building having an occupant capacity of 50 or more pupils or more than one

classroom. A governing board may work with the Office of Emergency services and the Seismic safety Commission to develop and establish the earthquake emergency procedure systems. The earthquake emergency procedure system must include: 1) a school building disaster plan; b) a drop procedure; 3) protective measures to be taken before, during, and following an earthquake; and 4) a program to ensure students and staff are trained in the earthquake emergency procedure system. [Cal. Educ. Code §35295, 35296, 35297.](#)

Persons in charge of private schools may not allow any cup or glass to be used in common for drinking purposes. (FindLaw: [Cal. Health & Safety Code §118375](#))

Teacher Certification: No. According to the California Department of Education, “EC Section 48222 specifies only that private school teachers be “...persons capable of teaching”. However, many private school teachers do possess current California teaching credentials. An NPS [nonpublic school] that accepts public school students with individualized education programs must have appropriately qualified and credentialed staff.” ([California Department of Education](#))

Testing: Private school students do not participate nor may they have access to STAR system. ([California State Regulations](#))

Transportation: County Superintendents may provide transportation to pupils attending private schools upon the same terms, in the same manner and over the same routes as provided for pupils attending public schools. The authorization is limited to actual transportation and not transportation payments of money. [Cal. Educ. Code §39808, §48222.](#)

State subsidized transportation for children attending parochial schools is proper under the California Constitution in view of the broad police powers of the state to promote educational welfare and safety of the children. *Bowker v. Baker*, 167 P.2d 256 (1946).

Private schools are subject to the same statutes, rules, and regulations relating to construction, design, operation, equipment, and color of school buses that apply to public schools unless exempt by the Commissioner of the California Highway Patrol by rule or regulation. [Cal. Veh. Code §2808.](#)

Private schools are required to provide instruction in school bus emergency procedures and passenger safety for students transported in a school bus or school pupil activity bus. The instruction must be given at least once a year to all transported pupils pre-kindergarten through grade eight. In addition, safety instruction must be given prior to departures on a school activity trip including instruction on the location of emergency exits and location and use of emergency equipment. The school must maintain a record for one year from date of instruction documenting the details of the instruction and is subject to inspection by the Department of California Highway Patrol. (FindLaw: [Cal. Educ. Code §39831.5](#))

Recordkeeping and Reports: Private schools are required to file annually an affidavit with the superintendent of public instruction between the first and fifteenth day of October. The affidavit must contain the following information: 1) all names under which it has done and is doing business; 2) address of every place of business in California; 3) location of records and custodian of records; 4) names and addresses of directors and principal officers; 5) school enrollment by grades, number of teachers, coeducational or enrollment limited to boys or girls and boarding facilities; 6) that school attendance records, courses of study, and faculty information records maintained by the school are true and accurate; and 7) that criminal record summary information for employees has been obtained pursuant to Section 44237. [Cal. Educ. Code §33190.](#)

Where the instructor also serves as the school administrator, the affidavit must be made available upon request to the parents or guardians of students or prospective students. [Cal. Educ. Code §33191](#).

Private schools are required to maintain a record of attendance for students. Every absence for a half-day or more must be documented. [Cal. Educ. Code §48222](#).

Private school parents have an absolute right to access any and all pupil records related to their children that are maintained by the school. [Cal. Educ. Code §49069](#).

Whenever a pupil transfers from a public school district to private school, or transfers from a private school to a school district, the pupil's permanent record or a copy thereof must be transferred by the former district or private school no later than 10 school days following the date the request is received from the private school or district where the student intends to enroll. Parents have a right to receive a copy of the record and to challenge the content of the record at a hearing. Nothing in this section of the law overrides any other state or federal law governing the transfer of student records within specific student populations. [Cal. Educ. Code §49068](#).

Private schools may withhold grades, diplomas, or transcripts (until reparations are made) based on a minor's willful misconduct that results in personal injury or property damage. The school must afford the student his due process rights and notify the parents in writing before taking any action. [Cal. Educ. Code §48904\(b\)](#).

Private schools must maintain for one year a record of the school bus safety instruction provided by the school. The record must indicate the name and location of school, date of instruction, supervising adults, number of participating students, grade levels, subjects covered, time taken for instruction, bus driver's name, and bus number. The record is subject to inspection by the Department of the California Highway Patrol. [Cal. Educ. Code §39831.5](#).

Reimbursement for Performing State and Local Functions: No known policy. ([California State Regulations](#))

Virtual/Online Schools

CA DoE - Distance Learning: <https://www.cde.ca.gov/ci/cr/dl/index.asp>

CA DoE - Distance Learning - Frequently Asked Questions (FAQs):
<https://www.cde.ca.gov/ci/cr/dl/distlearningfaqs.asp>

According to the California Department of Education, "Distance learning is defined in EC Section 43500(a).

Distance learning means instruction in which the pupil and instructor are in different locations and pupils are under the general supervision of a certified employee of the LEA. Distance learning may include, but is not limited to, all of the following:

Interaction, instructions, and check-ins between teachers and pupils through the use of a computer or other communications technology.

Video or audio instruction in which the primary mode of communication between the pupil and certified employee is online interaction, instructional television, video, telecourses, or other instruction that relies on computer or communications technology.

The use of print, video, and audio materials incorporating assignments that are the subject of written or oral feedback.” ([Distance Learning FAQs](#))

Colorado

Private schools are considered small businesses by Colorado, and therefore must obtain a license from the Colorado Secretary of State to operate. They must operate for 172 school days each year for their students to satisfy compulsory education requirements. Teachers in private schools are not required to be certified.

Code of Colorado Regulations:

<https://www.sos.state.co.us/CCR/NumericalCCRDdocList.do?deptID=4&deptName=Department%20of%20Education&agencyID=109&agencyName=301%20Colorado%20State%20Board%20of%20Education>

U.S. Department of Education (DoE) – Colorado State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/colorado.html> (updated October 2014)

FindLaw: <https://codes.findlaw.com/co/>

Colorado Department of Education (CDE) - Non-Public Schools:

https://www.cde.state.co.us/choice/nonpublic_law

Private School Regulations

Definition: According to the Colorado Department of Education, “the term non-public school’ applies to private, parochial, and independent schools which provide education to children of compulsory school age. Neither the State Board of Education nor any local board of education has jurisdiction over the internal affairs of any non-state independent or parochial school in Colorado. Private, independent and non-public schools are considered to be small businesses in the state of Colorado.” ([CDE](#))

Registration: Required. According to Colorado regulations, “Whenever requested by the board of education of the school district in which a private school is located, if not more often than once per month, the person or corporation in charge and control of any school other than a public school shall certify in writing, and if so requested, upon forms or blanks furnished by the said school district for that purpose, a statement containing the name, age, place of residence, and number of days of attendance at school during the preceding month or since the preceding report of all children of school age who then are or since the preceding report have been attending any such school.” ([C.R.S. 22-1-114](#))

State Accreditation: Optional. According to the US Department of Education, “The Colorado State Board of Education does not require private schools to acquire accreditation, but allows private schools to voluntarily choose to seek accreditation from a private agency. The Colorado Department of Education (CDE) provides contact information for some accrediting agencies as a courtesy to those interested in private schools; however, it does not endorse any particular group or organization.” ([Colorado State Regulations](#)) The Colorado Department of Education (CDE) “is responsible for annually accrediting all school districts in the state. Accreditation contracts have a term of one year. CDE will send districts individualized accreditation contract templates annually if the contract needs to be renewed or upon request. Signed contracts (by the superintendent and local board president) are due back to CDE, and then are signed by the commissioner of education and the state board of education chair.” ([CDE](#))

State Approval: No known requirements. ([Colorado State Regulations](#))

State Licensing: Mandatory. ([Colorado State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: Yes. According to the Colorado Department of Education, “Private, independent and non-public schools are considered to be small businesses in the state of Colorado.” ([Colorado Department of Education](#))

Liability Insurance: No publicly available information.

Compulsory Attendance: School Attendance Law makes school attendance at a public school compulsory unless the child “is enrolled for a minimum of one hundred seventy-two days in an independent or parochial school which provides a basic academic education” or “is being instructed at home.” ([C.R.S. 22-33-104](#))

Length of School Year and Day: School Attendance Law makes school attendance at a public-school compulsory unless the child "is enrolled for a minimum of one hundred seventy-two days in an independent or parochial school which provides a basic academic education" or "is being instructed at home." "Basic academic education" for the purpose of this article shall mean "the sequential program of instruction provided by an independent or parochial school. Provision for the enforcement of the compulsory attendance law is found in C.R.S. 22-33-107 and 22-33-108 which charges the local school district with the responsibility "to enforce the provisions of this article which relate to compulsory attendance." Neither the State Board of Education nor any local board of education has jurisdiction over the internal affairs of any nonstate, independent, or parochial school in this state. ([C.R.S. 22-33-104](#))

Curriculum: According to the Colorado Department of Education, “A sequential program of instruction is required to be provided by an independent or parochial school.” ([Colorado Department of Education](#))

Health and Safety Requirements: The school must meet health standards. A building being used by a non-public school must meet local building codes, zoning requirements, and fire safety standards. Non-public school officials have the responsibility to check with the local and/or county on these matters. ([C.R.S. 25-1-107](#))

Teacher Certification: No requirements. ([Colorado State Regulations](#))

Testing: Not required. ([C.R.S. 22-7-409](#))

Transportation: No publicly available information.

Recordkeeping and Reports: The CDE annually posts on its website a nonpublic schools directory as a courtesy to those interested in private schools. Private schools can voluntarily submit their contact information to CDE but are under no obligation to notify CDE when they open if their address changes or if they close.

Whenever requested by the board of education of the school district in which the private school is located, the person or corporation in charge and control of any school other than a public school shall certify in writing a statement containing the name, age, place of residence, and number of days of attendance of all children of school age, during the preceding month, who attended the school. C.R.S. 22-1-114.

Private schools are required to maintain a file of the official certificates of immunization for every enrolled student. The Colorado Department of Public Health & Environment (CDPHE) may examine, audit or verify the records of immunizations. (FindLaw: [C.R.S. 25-4-906](#))

Reimbursement for Performing State and Local Functions: No publicly available information.

Virtual/Online Schools

Colorado Department of Education (CDE) – Office of Online and Blended Learning:

<https://www.cde.state.co.us/onlinelearning>

The Office of Online & Blended Learning (OBL) serves and supports online schools, programs, students, parents/guardians, authorizers, other related entities, and individuals related to K-12 Online & Blended Learning in Colorado.

Connecticut

K-12 private schools in Connecticut do not have to meet any registration, accreditation, or approval requirements. There also are no licensing requirements, unless a private school serves students under the age of five, in which case that school must either receive state approval or pursue a daycare license. Private schools must report attendance to the commissioner of education, but there are no regulations about the length of school years or days. Private school teachers do not have to be certified, but private schools who pursue state approval have a pathway for their teachers to receive certification.

Connecticut's (CT) Official State Website – Private Schools: <https://portal.ct.gov/SDE/Legal/Private-Schools>

U.S. Department of Education (DoE) – Connecticut State Regulations: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/connecticut.html> (updated 2016)

Justia: <https://law.justia.com/codes/connecticut/2022/title-10/>

Private School Regulations

Registration: No requirements. ([Connecticut State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “Accreditation by an agency approved by the Connecticut State Department of Education is required in order to receive state approval.” ([Connecticut State Regulations](#))

State Approval: Voluntary. According to the Connecticut Department of Education, “Nonpublic school approval by the State Department of Education is a voluntary matter for the individual school. In order to attain such approval, schools must obtain accreditation from an agency approved by the State Department of Education. In the case of a school accredited by an approved agency, such designation ensures that established procedures have been followed and that approval by the State Department of Education is warranted. At this time, the Department of Education has given formal recognition to the approval procedures of certain accrediting agencies listed.” ([CT Official State Website](#))

State Licensing: No requirements. According to the US Department of Education, “A private school that is not state approved (i.e., that is not accredited by a state-approved accrediting agency) and has students under the age of five must obtain a daycare license from the Department of Public Health.” ([Connecticut State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Attendance of children at a school other than a public school shall not be regarded as compliance with the laws of the state requiring parents and other persons having control of children to cause them to attend school, unless the teachers or persons having control of such school file with the Commissioner of Education student attendance reports at such times and in such forms as the commissioner prescribes, and make such reports and returns concerning the school under their charge to the Commissioner of Education as are required from boards of education concerning the public schools,

except that no report concerning finances shall be required. The Commissioner of Education shall furnish to the teachers or persons having charge of any school such forms as may be necessary for compliance with the provisions of this section. [CT Sec.10-187](#)

Length of School Year and Day: According to the US Department of Education, “No state policy currently exists.” ([Connecticut State Regulations](#))

Curriculum: Connecticut parents have the duty to instruct their children or cause them to be instructed in reading, writing, spelling, English grammar, geography, arithmetic, and United States history and citizenship. Instruction may occur outside the public school if the parent or person having control of the child is able to show that "the child is elsewhere receiving equivalent instruction in the studies taught in the public schools." [Conn. Gen. Stat. §10-184](#).

Under Connecticut law, public schools must offer instruction by legally qualified teachers in social studies, including but not limited to citizenship, economics, geography, government, and history (CGS §10-16b). In addition, all elementary and secondary schools, whether public or private, whose property is exempt from taxes must offer instruction in U.S. history, including the U.S. government at the local, state, and national levels and in the duties, rights, and responsibilities of U.S. citizenship. No school may graduate any student who is not familiar with these subjects (§ 10-18). In addition, no student may graduate from a public high school unless he has completed a minimum of three credits in social studies (§ 10-221a). ([Connecticut General Assembly](#))

Health and Safety Requirements: Each local or regional board of education, or similar body governing a nonpublic school or schools, shall require each child to be protected by adequate immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella, haemophilus influenzae type B and any other vaccine required by the schedule for active immunization adopted pursuant to section 19a-7f before being permitted to enroll in any program operated by a public or nonpublic school under its jurisdiction. Before being permitted to enter seventh grade, a child shall receive a second immunization against measles. (Justia: [CT Gen Stat. §10-204a](#))

A school nurse, other licensed nurse, principal, or teacher of a school may administer medicine to any student in accordance with the written order of a licensed physician or dentist and the written authorization of the child's parent or guardian. [Conn. Gen. Stat. §10-212a\(2\)](#).

Every private and parochial school must maintain toilet accommodations, water supply drinking cups, washing facilities, heating, lighting, and ventilation in sanitary conditions. [Public Health Code Regulation §19-13-B30](#).

Information that a student communicates to a professional employee at a nonpublic primary or secondary school concerning alcohol or drug abuse is privileged communication if the employee chooses to make it so. An employee who acts in good faith is immune from any criminal or civil liability. [Conn. Gen. Stat. §10-154a](#).

Professional employees of a nonpublic school are required to turn over physical evidence indicating a crime has been or is being committed to school officials or law enforcement officials. The employee is not required to disclose the name of the student from whom the evidence was obtained. [Conn. Gen. Stat. §10-154a](#).

No person other than a certified pesticide applicator may apply a lawn-care pesticide on the grounds of any public or private preschool or public or private elementary school, except to eliminate a threat to

human health as determined by the local health director, the commissioner of public health, or the commissioner of environmental protection. [Conn. Gen. Stat. §10-231b](#).

All private elementary and secondary schools must comply with state regulations concerning eye protection devices in laboratories and workshops. [Conn. Gen. Stat. §10-214a](#).

Connecticut law outlines when physical force, otherwise criminal, is justifiable when exercised by a teacher or other person entrusted with the care and supervision of a minor for school purposes. For example, a teacher's physical force is justifiable to protect him- or herself or others from immediate physical injury or to obtain possession of a dangerous instrument but not merely to maintain discipline. [Conn. Gen. Stat. §53a-18](#).

Teacher Certification: Although teaching certificates are not required for nonpublic school teachers, teachers at nonpublic schools approved by the Connecticut State Board of Education may obtain provisional and professional educator certificates. [Conn. Gen. Stat. §10-145b](#)

Testing: No state policy currently exists. ([Connecticut State Regulations](#))

Transportation: Any municipality or school district shall provide, for its children enrolled in any grade, from kindergarten to twelve, inclusive, attending nonpublic nonprofit schools therein, the same kind of transportation services provided for its children in such grades attending public schools when a majority of the children attending such a nonpublic school are residents of the state of Connecticut. [Conn. Gen. Stat. §10-281](#).

Recordkeeping and Reports: Private schools must file student attendance reports and reports similar to those required of public schools by the board of education except concerning finance. [Conn. Gen. Stat. §10-188](#).

Nonpublic schools must implement a policy for reporting complaints related to school transportation safety and maintain a written record of complaints received. Within 30 days after the end of the school year, nonpublic schools must provide a copy of the written record of complaints to the commissioner of motor vehicles. Nonpublic schools must also make written reports to the commissioner of any accident involving a motor vehicle and a student pedestrian near a designated school bus stop within 10 days of the incident. (Justia: [Conn. Gen. Stat. §10-221c](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([Connecticut State Regulations](#))

Virtual/Online Schools

Connecticut State Department of Administrative Services – Remote Learning:

<https://portal.ct.gov/DAS/CTEdTech/Commission-for-Educational-Technology/Initiatives/Remote-Learning>

Connecticut State Department of Education (CSDE) Standards for Remote Learning (grades 9-12):

<https://portal.ct.gov/-/media/SDE/Remote-Learning-Commission/CT-Standards-for-Remote-Learning-Grades-9-12-FINAL.pdf>

“Section 387 of Public Act 21-2ss defines remote learning as instruction by means of one or more internet-based software platforms as part of a remote learning model. To uphold the definition of remote learning as defined in this legislation, all remote learning programming must:

- articulate clear educational goals;
- clearly organize course offerings in a way that stakeholders can easily navigate;
- integrate quality instructional materials to enable and enrich student learning;
- regularly evaluate technology that supports the learning goals and enhances the learning experience;
- contain content that aligns with appropriate learning standards and includes provisions for both intervention and accelerated learning opportunities;
- provide opportunities for student-to-student and student-to-teacher interactions that support active learning;
- provide a variety of activities that include options for in-depth learning through authentic problem-solving and experience;
- integrate research-based Universal Design for Learning (UDL); and
- comply with the Connecticut State Department of Education Standards for Remote Learning. “

[\(Connecticut State Department of Education Standards for Remote Learning\).](#)

Delaware

Private schools do not have to register with the state, but they must register their students to satisfy compulsory attendance law. Teacher licensure is voluntary.

Delaware Department of Education (DDoE) – FAQs:

<https://education.delaware.gov/families/k12/homeschools-and-private-schools/frequently-asked-questions-faqs/>

U.S. Department of Education (DoE) – Delaware State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/delaware.html> (updated November 2016)

Justia: <https://law.justia.com/codes/delaware/2022/title-14/>

Private School Regulations

Registration: No requirements. All nonpublic schools must register its students with the state in order for those students to be exempt from the compulsory attendance law. Delaware Code Annotated (Del. Code Ann., title 14, [§2702](#), [§2703](#), and [§2704](#)).

State Accreditation: Optional. ([Delaware State Regulations](#))

State Approval: No requirements. ([Delaware State Regulations](#))

State Licensing: No requirements. ([Delaware State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the Delaware Department of Education, “The DDOE does not require a specific number of days for nonpublic schools to be open during a school year. The DDOE does also not collect attendance information throughout the school year. Attendance will be reported as an aggregate total during the attendance reporting window (June through July annually).

The nonpublic school system is closed from August 1st to August 10th annually to allow the DDOE to roll the system to the new school year. Each school year within the NPS system begins in August.” ([DDoE](#))

Length of School Year and Day: No state policy currently exists. ([Delaware State Regulations](#))

Curriculum: No. According to the Delaware Department of Education, “the DDOE does not provide or recommend the curriculum of any nonpublic school (homeschool or private). The DDOE does not endorse, accredit, approve, or provide any curriculum for Delaware Nonpublic schools.” ([DDoE](#))

Health and Safety Requirements: Private schools must set dates for fingerprinting students (grades k–9) and provide school facilities and personnel. The superintendent of state police will provide training for volunteers who are nominated to assist the private schools for this purpose. Private school officials must notify parents or guardians of the date set for fingerprinting. Only pupils with signed authorization by

parents or guardians may participate. Private schools must cooperate in setting up the program, but the fingerprinting of students is not mandated. (Justia: [Del. Code Ann., title 11, §8522.](#))

Teachers, students, employees, and visitors in private schools must use eye protection devices for activities taking place in eye protection areas, i.e. industrial arts classes, etc. (Justia: [Del. Code Ann., title 14, §8301, §8302](#))

Teacher Certification: Teacher certification is optional. The Delaware Department of Education (Department of Education) has the authority to implement a "voluntary licensing and certification" system for nonpublic school teachers, specialists, and administrators. [Del. Code Ann., title 14, §121\(b\).](#)

Testing: No known state policy. ([Delaware State Regulations](#))

Transportation: The Delaware State Board of Education is charged with regulating nonpublic school transportation, with rules and regulations being the same as those for public school transportation and limited to within the described boundaries of a public school district. [Del. Code Ann., title 14, §2905.](#)

Parochial and private school buses must be inspected twice yearly to determine if they are safe, fit for operation, and properly equipped in accordance with regulations adopted by the Delaware Division of Motor Vehicles. [Del. Code Ann., title 21, §2145.](#)

Parochial and private schools may not permit any person to drive a school bus within the state without a valid school bus driver's license. [Del. Code Ann., title 21, §2708\(a\)](#)

Recordkeeping and Reports: Nonpublic schools are required to report their enrollment, age of pupils, and attendance to the Delaware State Board of Education annually before July 31. In addition, private schools must submit annually, by October 5, a statement of enrollment as of the last day in September on forms prescribed by the Delaware State Board of Education. [Del. Code Ann., title 14, §2704.](#)

Private schools must have a written policy concerning the education records of its students. That policy must address accessibility, confidentiality, and how records may be amended. The policy must comply with the Family Education Rights and Privacy Act, 20 U.S.C. 1232g. The policy should be reviewed periodically. Title 14 Delaware Administrative Code 251 ([14 Del. Admin. Code 251](#)).

Private schools must maintain records as required by the child labor laws. (Justia: [Del. Code Ann., title 14, §3506](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([Delaware State Regulations](#))

District of Columbia (D.C.)

While, D.C. has no licensure requirements for full-day private schools, private schools in D.C. must receive approval from the District of Columbia Board of Education. The Board considers several elements when considering approvals. There currently is no statute about teacher certification requirements in D.C. private schools.

Administrative Code: <https://code.dccouncil.gov/us/dc/council/code/titles/38>

OSSE's Private School Instructions:

https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/Private%20School%20Enrollment%20Application%20Instruction%20and%20FAQ%202022.pdf

Office of the State Superintendent of Education (OSSE): <https://osse.dc.gov/node/446>

Code of the District of Columbia – Educational Institutions:

<https://code.dccouncil.gov/us/dc/council/code/titles/38>

U.S. Department of Education – (District of Columbia Regulations):

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/districtofcolumbia.html>

(updated July 2015)

Private School Regulations

Registration: No requirements. ([District of Columbia Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “institutions that submit proof of accreditation or proof that they are undergoing the process of accreditation by an accrediting body identified in the District of Columbia regulations or are approved by the District of Columbia Board of Education (board) will be deemed to have presented satisfactory evidence that the amount and character of instruction, qualifications of staff and other conditions, such as class size, facilities, counseling services, and attendance record-keeping are acceptable to the board . 5-E D.C. District of Columbia Municipal Regulation (DCMR) § 2100.3.” ([District of Columbia Regulations](#))

State Approval: Required. ([District of Columbia Regulations](#))

State Licensing: According to the Office of the State Superintendent of Education, “A private school providing education services to children in grades pre-K through twelfth grade 12 during a full school day are exempt from licensing.” ([OSSE](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Minors who reach age five or will become age five on or before Sept 30th of current school year shall be place in regular attendance in an educational institution during the period of each year when the public schools of the district are in session. ([D.C. Code § 38-201 through -213](#))

Length of School Year and Day: According to the US Department of Education, “Schools must provide satisfactory evidence to the superintendent of schools that the amount of instruction, i.e. the number of

hours per day, days per week, and weeks per year, is acceptable to the board. The instruction need not be given at the same time as the equivalent D.C. Public School instruction program. 5-E DCMR §2100.2.” ([District of Columbia Regulations](#))

Curriculum: According to the US Department of Education, “Schools must provide satisfactory evidence to the superintendent of schools that the character of instruction includes acceptable subject matter and time devoted to the subjects.” ([District of Columbia Regulations](#))

Health and Safety Requirements: Private school students from pre-K to 12th grade are annually required to submit certificates of health. The certificates of health must be signed by a physician or nurse practitioner upon examination within a 12-month period before the first day of school. [D.C. Code §38-602\(a\)](#). Private school students under six years of age must furnish the school with a certificate of testing for lead poisoning. The mayor establishes requirements for periodic dental examinations and the submission of certificates of dental health. No student will be excluded from school for failure to submit a certificate. Also, the mayor is responsible for developing and providing the standard forms for certificates of health and dental health. [D.C. Code §38-602](#)

If physical or dental examinations violate the established tenets and practices of a parent's, guardian's, or student's church or religious denomination, then certificates of health shall not be required of the student upon receipt of a written notarized statement to that effect. [D.C. Code §38-603](#).

The mayor establishes uniform health screening requirements for all children from birth to 21 years of age who are residents or wards of the District of Columbia. The mayor also establishes a uniform health assessment form for enrollment of children in educational programs, including private schools. [D.C. Code §7-875.03](#).

An athlete (defined as a person who engages in athletic activity who is 18 years or younger) who is suspected of sustaining a concussion in an athletic activity (including private school-sponsored activities) must be immediately removed from physical participation in the athletic activity and may not return to participation in the athletic activity until evaluated and given written approval to return by a licensed or certified health-care provider. [D.C. Code §7-2871.01](#) and [§7-2871.02](#).

School officials, teachers, athletic coaches, and social service workers who may be involved with children at a private, parochial, or independent school and who have reasonable cause to suspect, in their professional or official capacity, that a child has been or is in immediate danger of mental or physical abuse or neglect, shall report this to the Metropolitan Police Department or Child and Family Services Agency. [D.C. Code §4-1321.02](#).

Private schools may be granted access to substantiated reports of child abuse or neglect in the Child Protection Register for the purpose of making decisions regarding prospective employees and volunteers. [D.C. Code §4-1302.03](#).

Private schools must report truancy (10 or 15 unexcused absences, as applicable) to the police department, the Office of the State Superintendent of Education (OSSE), Child and Family Services Agency, Court Social Services Division of the Superior Court and the Office of the Attorney General, as applicable. [D.C. Code §38-208](#).

Tobacco smoking is prohibited in the educational facilities of private schools except in smoking lounges or specific smoking areas approved by the school. [D.C. Code §7-1703](#).

A student enrolled in a private school may possess and self-administer medication at school, school-sponsored activities and while on school-sponsored transportation in order to treat asthma, anaphylaxis, or other illnesses subject to submission of a valid medication action plan and other conditions of the law. School employees and other trained and certified agents may administer medication in accordance with the requirements of the law. [D.C. Code §38-651.02](#)

Private schools may participate in the Healthy Schools Fund program and receive cost reimbursement for serving healthy meals meeting certain nutritional standards. During school hours, participating private schools must ensure all food sold or provided by the school meets the requirements of the United States Department of Agriculture's Healthier US School Challenge program at the Gold Award Level for competitive foods. [D.C. Code §38-821.02](#)

No student shall be admitted by a school unless the school has certification of immunization for that student unless otherwise exempt. A student must be permitted to attend school for no more than 10 days while the school does not have a certification of immunization for the student. [D.C. Code §38-502](#).

Teacher Certification: No current legislation on teacher certification.

Testing: Students enrolled in nonpublic schools that receive educational services funded by the District of Columbia must participate in the annual academic assessments. Math and English language arts assessments are given in grades three, eight, and 10; science assessments in grades five and eight; and biology assessments in grades nine through 12. [5-A DCMR §2301.4](#).

Transportation: No current legislation on transportation.

Recordkeeping and Reports: By October 5 of each year, each public, independent, private, and parochial school shall report to the Office of the State Superintendent of Education the name, address, sex, and date of birth of each minor who resides permanently or temporarily in the District who is currently enrolled in their school. By the 5th of every month thereafter, each school shall report any changes in enrollment, including withdrawals, to the Office of the State Superintendent of Education. [D.C. § 38-205](#). The Office of the State Superintendent of Education (OSSE) collects private school enrollment data in compliance with [D.C. § 38-205](#). Enrollment data for each private school in the District of Columbia is due to OSSE each fall in the “[Private School Data Collection QuickBase Application](#).”

Reimbursement for Performing State and Local Functions: See rate-setting provisions applicable to nonpublic special education schools providing special education services to students placed from the District of Columbia. [D.C. Code §38-2561.12\(a\)](#)

Florida

Florida private schools must register with the state, which involves the school owner submitting fingerprints for a background check as well as completing an annual school survey. Private schools must offer the hourly equivalent of 180 days of school for their students to satisfy compulsory attendance law. Private school teachers do not have to meet any specific certification requirements.

Administrative Code:

<https://www.flrules.org/notice/resultAdvance.asp?string=a&ChkFAC=on&keyword=&orgid=6&orid=&sid=&iid=&date3=05%2F26%2F2022&date4=07%2F26%2F2023&date1=05%2F26%2F2022&date2=05%2F26%2F2023&submit=++Search>

Florida Statutes (Private Schools):

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=1002.42&URL=1000-1099/1002/Sections/1002.42.html

DoE Private Schools: <https://www.fldoe.org/schools/school-choice/private-schools/requirements-for-private-schools.shtml>

Florida K-12 Private School General Requirements: <https://www.fldoe.org/schools/school-choice/private-schools/general-requirements.shtml>

U.S. Department of Education: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/florida.html> (Updated April 2015)

Private School Regulations

Registration: A private school must register with the Department and annually complete the private school survey. [s. 1002.42\(2\)\(b\), F.S.](#) Each owner of a private school is required to submit fingerprints to the FDLE for a criminal records check. [s. 1002.42\(2\)\(c\)\(1\), F.S.](#) All private schools are required under [s. 1002.42, Florida Statutes](#), to register with the Department of Education and complete an annual survey each year. Each owner of a private school must submit fingerprints to FDLE for a criminal background check. Private schools must keep attendance records for compulsory attendance purposes and must also meet certain health and safety requirements. Finally, private schools that become defunct are required to transfer all permanent information included in student records to the public school district. ([ss.1002.42\(2\)\(b\)\(1\), F.S.](#))

State Accreditation: No requirements. ([Florida Department of Education](#))

State Approval: No requirements. ([Florida Department of Education](#))

State Licensing: No requirements. ([Florida Department of Education](#))

Non-Profit or For-Profit: Either. ([Florida Statutes 1002.01](#))

Commercial Space: Allowed.

Liability Insurance: No, with the exception of what is stated under *Transportation*.

District school boards may make available, by contract, bus driver training programs to private school bus drivers. ([ss. 1002.42\(14\), and 1012.45\(4\), F.S.](#))

Compulsory Attendance: All children who have attained the age of six or who will have attained the age of six by February 1 of any year are required to attend school regularly during the entire school term. Children who will have attained the age of five years on or before September 1 of the school year are eligible for admission to public kindergartens during that school year under rules adopted by the district school board.

Any child who has attained the age of six years on or before September 1 of the school year and who has been enrolled in a public school or who has attained the age of six years on or before September 1 and has satisfactorily completed the requirements for kindergarten shall progress according to the district's student progression plan.

A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the district school board. The school district must notify the student's parent of receipt of the student's declaration of intent to terminate school enrollment. Section 1003.21, *F.S.*

Private schools are required to keep and prepare certain attendance records for compulsory attendance purposes. ss. 1002.42(4) and 1003.23(2), *F.S.* Rule 6A-1.09512, F.A.C. - in order to meet the compulsory attendance requirements, a child must maintain regular attendance for a minimum of 170 actual school days with the required instructional hours as determined by grade level.

Private schools are required to keep and prepare certain attendance records for compulsory attendance purposes. ([ss. 1002.42\(4\)](#) and [1003.23\(2\), F.S.](#))

Length of School Year and Day: According to the US Department of Education, “Attendance at a private school satisfies the compulsory school attendance law if the child maintains regular attendance during the school term of either 180 actual school days or a minimum of 170 actual school days and the hourly equivalent of 180 actual school days. In kindergarten, this requires 540 net instructional hours; in grades one through three, 720 net instructional hours; and in grades four through 12, 900 net instructional hours. Rule 6A-1.09512, Florida Administrative Code (F.A.C.).” ([Florida State Regulations](#)).

Curriculum: According to the US Department of Education, “The state and local school district do not have the authority to oversee or control the curriculum or academic programs of private schools or home instruction programs.” ([Florida State Regulations](#))

Health and Safety Requirements: Private schools that become defunct are required to transfer all permanent information included in student records to the public school district. s. 1002.42(3), *F.S.* School Entry Health Examinations: [ss. 1002.42\(5\) and 1003.22\(1\) and \(2\), F.S.](#) state that private schools must maintain certain student health examination documentation.

Immunizations: Private schools must maintain a Florida Certification of Immunization for each child. This form is not available to the public and must be completed by a Florida physician or a Florida county health department. Information on Department of Health Form DH 680 Private schools who enroll kindergarten or 7th grade students must complete an Immunization Annual Report of Compliance for Kindergarten and Seventh Grades. This form is available at Florida county health departments (Department of Health Form DH 684). ([ss. 1002.42\(6\) and 1003.22\(3\)-\(11\), F.S.](#))

Teacher Certification: According to the US Department of Education, no requirements. However, an owner of a private school may require school employees to file a complete set of fingerprints with the Department of Law Enforcement for processing and criminal records checking. Findings from such

processing and checking shall be reported to the owner for use in employment decisions. ([s. 1002.42\(2\)\(c\)3, F.S.](#))

Professional Development: An organization of private schools that has no fewer than 10 member schools in this state may develop a professional development system to be filed with the Department of Education in accordance with the provisions of ([s. 1012.98\(6\).](#))

Testing: No requirements. According to the US Department of Education, “The owners of private elementary and secondary schools in Florida are solely responsible for all aspects of their educational programs, including student assessment. S. 1002.42(2)(h), *F.S.*” ([Florida State Regulations](#))

Transportation: Private school bus drivers may participate in a district school board’s bus driver training program, if the district school board makes the program available pursuant to s. 1012.45(4) *F.S.*

Private school students may be transported on public school buses; and public school students may be transported on private school buses where there is a mutual agreement between the local school board and the applicable private school and the buses are equipped with safety belts or with any other restraint system approved by the federal government. ([ss. 317.6145 and 316.6146, F.S.](#))

For transportation, private schools operating school buses seating fewer than 24 students must comply with state requirements regarding inspections, equipment, liability insurance, and driver physical examination requirements. ([ss. 316.615\(2\)\(a\), F.S.](#))

Recordkeeping and Reports: Private schools are required to keep and prepare certain attendance records for compulsory attendance purposes. ([ss. 1002.42\(4\) and 1003.23\(2\), F.S.](#))

In order to meet the compulsory attendance requirements, a child must maintain regular attendance for a minimum of 170 actual school days with the required instructional hours as determined by grade level. ([Rule 6A-1.09512, F.A.C](#))

Reimbursement for Performing State and Local Functions: No publicly available information.

Georgia

To be legally considered a private school, the institution must provide the equivalent of 180 full days of school each year. Georgia has no registration, accreditation, approval, licensing, or teacher certification requirements for private schools.

Georgia Regulations: <https://rules.sos.state.ga.us/gac/160>

Georgia Department of Education (DoE) Ombudsman: <https://www.gadoe.org/School-Improvement/Federal-Programs/Documents/Ombudsman/Verifying%20and%20Documenting%20Nonprofit%20Status%20for%20Equitable%20Services%2005.15.19.pdf>

U.S. Department of Education (DoE) – Georgia State Regulations: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/georgia.html> (Updated November 2016)

Justia: <https://law.justia.com/codes/georgia/2022/title-20/chapter-2/article-16/part-1/subpart-2/section-20-2-690/>

Private School Regulations

Registration: No requirements. ([Georgia State Regulations](#))

State Accreditation: No requirements. To qualify for participation in the Georgia Special Needs Scholarship (GSNS) or Georgia Private School Tax Credit programs a private school must be accredited by a state-approved agency. (Justia: [Official Code of Georgia Annotated \(O.C.G.A\). §20-2A-1](#))

State Approval: No requirements. ([Georgia State Regulations](#))

State Licensing: No requirements. ([Georgia State Regulations](#))

Non-Profit or For-Profit: According to the Georgia Department of Education, “Private schools must demonstrate nonprofit status in order to participate in equitable services under Title IA and Title VIII (IC, IIA, IIIA, IVA, IVB). Private school nonprofit status must be verified annually.” ([Georgia DoE – Verifying and Documenting Private School Nonprofit Status](#))

Commercial Space: Allowed.

Liability Insurance: No publicly available information.

Compulsory Attendance: Mandatory attendance in a public school, private school, or home school program shall be required for children between their sixth and sixteenth birthdays. Such mandatory attendance shall not be required where the child has successfully completed all requirements for a high school diploma. ([GA Code § 20-2-690.1 \(2020\)](#))

Length of School Year and Day: The institution provides instruction each 12 months for the equivalent of 180 school days of education with each school day consisting of at least four and one-half school hours. ([GA Code § 20-2-690](#))

Curriculum: The institution provides a basic academic educational program which includes, but is not limited to, reading, language arts, mathematics, social studies, and science. ([GA Code § 20-2-690](#))

The Technical College System of Georgia is authorized to contract with private schools to provide program or services deemed necessary. ([O.C.G.A. §20-4-14 \(c\)\(5\)](#)).

Students in private schools are eligible to participate in dual credit courses at eligible postsecondary institutions. Participating eligible postsecondary institutions must enter into a participation agreement with the commission that includes providing course books and accepting the amount paid by the commission as full payment for the high school students participation. The commission must be funded in Fiscal Year 2016, which begins July 1, 2015. ([O.C.G.A. §20-2-161.3](#)).

Health and Safety Requirements: Any building used by the institution for private school purposes meets all health and safety standards established under state law and local ordinances. ([GA Code § 20-2-690](#))

Teacher Certification: Not required. ([O.C.G.A. §20-2-2115\(a\)\(7\)](#).)

The Georgia Professional Standards Commission allows for the participation of one private school teacher holding a valid professional certificate from an accredited private school on the commission's 18-member board. ([O.C.G.A. §20-2-983\(b\)\(1\)](#).)

Testing: Parents of students taking part in the GSNS program may ask to participate in state testing opportunities. ([O.C.G.A. §20-2-2114\(c\)](#))

Transportation: According to the US Department of Education, “The Department of Motor Vehicles and Traffic will furnish without charge to private schools a driver's record abstract for any current employee or applicant for a school bus driver position. The employee or applicant must agree in writing to permit the release. O.C.G.A. §40-5-2(c)(1)(A) and (E).

Private schools are required to meet equipment, color, and marking requirements set out in the Motor Vehicle and Traffic Code. O.C.G.A. §§40-8-110–112 and 40-8-114.” ([Georgia State Regulations](#))

Recordkeeping and Reports: Within 30 days after the beginning of each school year, it shall be the duty of the administrator of each private school to provide to the school superintendent of each local public school district which has residents enrolled in the private school a list of the name, age, and residence of each resident so enrolled. At the end of each school month, it shall be the duty of the administrator of each private school to notify the school superintendent of each local public school district of the name, age, and residence of each student residing in the public school district who enrolls or terminates enrollment at the private school during the immediately preceding school month. Such records shall indicate when attendance has been suspended and the grounds for such suspension. Enrollment records and reports shall not be used for any purpose except providing necessary enrollment information, except with the permission of the parent or guardian of a child, pursuant to the subpoena of a court of competent jurisdiction, or for verification of enrollment by the Department of Driver Services for the purposes set forth in subsection (a.1) of Code Section 40-5-22. ([GA Code § 20-2-690](#))

Reimbursement for Performing State and Local Functions: No publicly available information.

Virtual/Online Schools

Rules and Regulations of the State of Georgia (Instructional Technology):
<https://rules.sos.state.ga.us/GAC/160-8>

Micro Schools/Learning Pods

Justia: <https://law.justia.com/codes/georgia/2022/title-20/chapter-2/article-16/part-1/subpart-2/section-20-2-690/>

The Learning Pod Protection Act: Each learning pod shall remain subject to laws or other legal provisions relating to civil rights, insurance, conflicting interest transactions, the protection of the physical health and safety of its students, and the prevention of unlawful conduct, including unlawful conduct in or near a public school. Otherwise, each learning pod shall be exempt from statutes, rules, regulations, guidelines, or other regulatory provisions imposed by the state, local governments, or local school systems. ([Justia](#))

Hawaii

Hawaii requires private schools to register with the state, and private schools must either be licensed by the Hawaii Council of Private Schools or be accredited by a recognized accrediting body. School years and teacher certification requirements must meet the standards set by the applicable accrediting or licensing agencies.

U.S. Department of Education (DoE) – Hawaii State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/hawaii.html> (updated August 2017)

Hawaii Association of Independent Schools – Hawaii Council of Private School (HCPS) Licensing:

<https://www.hais.us/licensing>

Hawaii Statutes: https://www.capitol.hawaii.gov/hrscurrent/Vol05_Ch0261-0319/HRS0296/HRS_0296-.htm

Private School Regulations

Registration: Mandatory. According to the US Department of Education, “A private school must obtain a charter an excise tax from the state of Hawaii Department of Commerce and Consumer Affairs.” ([Hawaii State Regulations](#))

State Accreditation and Licensing: Must have one or the other. According to the Hawai’i Association of Independent Schools, “All private schools in Hawai’i are required to be licensed by the Hawai’i Council of Private Schools (HCPS) or accredited by a recognized accrediting body, according to Act 188 (1995), Act 227 (2019) and Act 61 (2022) passed by the Hawai’i State Legislature.” ([HCPS Licensing](#), [HAIS Licensing](#))

State Approval: No requirements. ([Hawaii State Regulations](#))

Non-Profit or For-Profit: Either. According to the Hawai’i Association of Independent Schools, “For purposes of Hawai’i Council of Private Schools (HCPS) licensing of private schools, the definition of a “private K-12 school” is any organization or operation registered to do business in the State of Hawai’i as a not-for-profit or for-profit, Hawaii-based business providing educational programs and/or services at or from a physical or virtual location for any grades kindergarten through 12 in order for students aged 5 through 18 to be in compliance with the Hawai’i State Compulsory Attendance Law (HRS 302A-1132).” ([Standards and Procedures for the Licensing of Hawaii Private Schools](#).)

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the Hawai’i Association of Independent Schools, “An organization that meets the following minimum criteria is considered a private K-12 school:

Has mandatory attendance requirements (in-person or virtually) for the purposes of complying with the Hawai’i State Compulsory Attendance Law.” ([Standards and Procedures for the Licensing of Hawaii Private Schools](#).)

Unless excluded from school or exempted from attendance, all children who will have arrived at the age of at least five years on or before July 31 of the school year, and who will not have arrived at the age of eighteen years, by January 1 of any school year, shall attend either a public or private school for, and during, the school year, and any parent, guardian, or other person having the responsibility for, or care of, a child whose attendance at school is obligatory shall send the child to either a public or private school. [HRS §302A-1132](#)

Length of School Year and Day: According to the US Department of Education, “Approved accrediting organizations set the length of the school year and the number of days required for private schools accredited in this manner. Hawaii Council of Private Schools, Standards and Procedures for the Approval of Hawaii Private Schools, 1996.

The private school can determine the length of the school day and the length of the school year in accord with its stated mission, provided that the amount of instruction offered is at least 880 hours in a given school year. Hawaii Council of Private Schools, Standards and Procedures for the Approval of Hawaii Private Schools, 1996.” ([Hawaii State Regulations](#))

Curriculum: According to the US Department of Education, “Approved accrediting organizations set the education program requirements for private schools accredited in this manner. Hawaii Council of Private Schools, Standards and Procedures for the Approval of Hawaii Private Schools, 1996.

Schools licensed by the Hawaii Council of Private Schools must have a curriculum that is a cumulative and sequential educational program. The curriculum must prepare the students with knowledge and skills necessary for success at the next appropriate level of education or work. It must also take into consideration the unique interests, needs, and abilities of each student. For schools, excluding those that exclusively serve students with special needs or disabilities, the curriculum must include reading, writing, speech, mathematics, social studies, science, art, music, and health and physical education. Hawaii Council of Private Schools, Standards and Procedures for the Approval of Hawaii Private Schools, 1996.” ([Hawaii State Regulations](#))

Health and Safety Requirements: Each student must present a physical examination report before first attending school. A student who has not completed the physical exam may attend school on a provisional basis only with written documentation showing that appointments have been made to complete the missing requirements, and the examination must be completed within three months of initial school attendance. Hawaii Revised Statutes (HRS) §302A-1159.

Each student must send a record of immunizations as required by the department of health and a tuberculosis examination certificate before first attending school. A student who has not completed all required immunizations may attend school on a provisional basis only with written documentation showing the immunizations are in process, and the immunizations must be completed within three months of initial school attendance. A student is exempt if a physician, physician assistant, or advance practice registered nurse certifies that immunizations are an endangerment to the student's health, or the parent, custodian, or guardian provides in writing objections to immunization based on bona fide religious beliefs. If the department of health decides there is danger of an epidemic, no immunization exemptions are recognized. [HRS §302A-1154–§1157](#).

Private school employees and officers have a duty to report suspected child abuse or neglect that is based upon a reasonable belief. Individuals should immediately make their reports orally to the department of human services (social services division) or to the police department. [HRS §350-1.1](#).

Private schools are required to conduct criminal history record checks on all new employees hired after July 1, 2000, for positions that place the employee in close proximity to children. This includes non-teaching staff who work in close proximity to children. [HRS §302C-1](#).

Teacher Certification: According to the US Department of Education, “Approved accrediting organizations set teacher certification requirements for private schools accredited in this manner. Hawaii Council of Private Schools, Standards and Procedures for the Approval of Hawaii Private Schools, 1996.

Schools licensed by the Hawaii Council of Private Schools must meet the following requirements: (1) the staff, including teachers and administrators, must be qualified for their positions and responsibilities by education and/or experience; and (2) regular teachers are expected to have a baccalaureate degree, or a professional certificate from a national or state teacher certification agency, or some other means of indicating the qualifications for their position. Hawaii Council of Private Schools, Standards and Procedures for the Approval of Hawaii Private Schools, 1996.” ([Hawaii State Regulations](#))

Testing: No state policy currently exists. ([Hawaii State Regulations](#))

Transportation: The department of transportation shall grant exemptions for the use of vehicles other than school vehicles when the department finds that compliance with this section is: 1) Impractical due to the unavailability of school vehicles; or 2) Impractical due to economic factors." Exemptions are granted to "1) a board of independent schools, which is registered with the department of commerce and consumer affairs (Hawaii Association of Independent Schools), to administer to private schools utilizing criteria developed by the departments of Transportation and Education at the end of each school year on the extent to which these exemptions were utilized; 2) only for the transport of pupils to and from school functions or school-related activities but not for transportation to and from a school; 3) only when each pupil being transported has obtained a written statement from the pupil's parent or legal guardian waiving the State's liability; and 4) in accordance with the procedures and criteria established by rules of the Department of Transportation. [HRS §286-181](#).

The department of transportation may grant exemptions for the use of vehicles other than school vehicles for the transportation of students requiring special education and services when the department finds that compliance with this section is impossible or impractical. [HRS §286-181](#).

Recordkeeping and Reports: According to the US Department of Education, “The Hawaii Council of Private Schools is responsible for publishing an annual directory of licensed private schools and an annual enrollment report, keeping permanent records for all schools, and handling complaints. Memorandum of Understanding: The Hawaii Council of Private Schools, HIDEOE, Hawaii Association of Independent Schools (HAIS), pursuant to Hawaii Sessions Law, Act 188.

Schools licensed by the Hawaii Council of Private Schools must keep and maintain student records in a manner that keeps parents and guardians informed of student progress and achievement. If a student transfers or applies for admission to a new school, the private school must make student records available on the request of the parent or guardian. Hawaii Council of Private Schools, Standards and Procedures for the Approval of Hawaii Private Schools, 1996.

The Hawaii Council of Private Schools requires the submission of an annual report from private schools it has licensed, or ones that have been approved after being accredited by an approved accrediting association. The report must include information on enrollment and other data required to maintain a database for the private school community. The Hawaii Council of Private Schools will work to avoid having schools duplicate information they already were required to report to other organizations. Hawaii

Council of Private Schools, Standards and Procedures for the Approval of Hawaii Private Schools, 1996.”
([Hawaii State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([Hawaii State Regulations](#))

Idaho

Idaho does not have any registration, accreditation, or licensure requirements for private schools. Teacher certification requirements only apply to schools that are accredited. Private schools must operate for school year lengths equivalent to that of public schools.

Idaho State Department of Education (DoE) – Private Schools: <https://www.sde.idaho.gov/school-choice/private/#:~:text=Private%20schools%20are%20non%2Dprofit,regulate%20or%20license%20private%20schools>.

U.S. Department of Education (DoE) – Idaho State Regulations: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/idaho.html> (updated 2015)

Private School Regulations

Registration: No requirements. ([Idaho State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “The state board must establish standards for accrediting secondary schools and set minimum requirements that public, private, or parochial secondary schools must meet to be accredited. A secondary school is defined as one organized and administered for grades 7 through 12, in any combination. Idaho Code §33-119.” ([Idaho State Regulations](#))

The US Department of Education also reports, “Private and parochial schools may choose to seek accreditation with the Northwest Accreditation Commission. Idaho Administrative Procedures Act (IDAPA) 08.02.02.128.” ([Idaho State Regulations](#))

State Approval: No requirements. ([Idaho State Regulations](#))

State Licensing: No requirements. ([Idaho State Regulations](#))

Non-Profit or For-Profit: Either. According to the Idaho Department of Education, “Private schools are non-profit or for-profit educational organizations that are operated independent of the public education system. In most cases there is a charge for students to attend the private school. Idaho Department of Education does not regulate or license private schools.” ([Idaho DoE](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: The parent or guardian of any child resident in this state who has attained the age of seven (7) years at the time of the commencement of school in his district, but not the age of sixteen (16) years, shall cause the child to be instructed in subjects commonly and usually taught in the public schools of the state of Idaho. To accomplish this, a parent or guardian shall either cause the child to be privately instructed by, or at the direction of, his parent or guardian; or enrolled in a public school or public charter school, including an on-line or virtual charter school or private or parochial school during a period in each year equal to that in which the public schools are in session; there to conform to the attendance policies and regulations established by the board of trustees, or other governing body, operating the school attended. ([Idaho Legislature 33-202](#))

Length of School Year and Day: To comply with the Idaho compulsory attendance statute, attendance at a private or parochial school must be "during a period in each year equal to that in which the public schools are in session." [Idaho Code §33-202](#).

Curriculum: The Idaho compulsory school attendance statute requires parents and guardians to ensure that their school-age children receive instruction in the subjects commonly taught in the public schools. [Idaho Code §33-202](#).

Private and parochial school students may enroll in driver training courses offered by the local school district. Fees cannot be assessed that are not required for public school students. [Idaho Code §33-1703](#).

Health and Safety Requirements: The parent or guardian of any student admitted to a private or parochial school must, upon admission, provide a record regarding the child's immunity to certain childhood diseases. The statement, to be signed by a physician or his or her representative, must document that the child has received or is in the process of receiving the immunizations, or is immune through prior contraction of the disease. The Idaho Board of Health and Welfare is charged with specifying the requisite immunizations and the school reporting requirements. [Idaho Code §39-4801](#).

It is unlawful and a misdemeanor for any person to carry a firearm or other deadly weapon on any school property, or in portions of any building, stadium or other structure on school grounds being used, at the time of the violation, for a school-sponsored event or activity. [Idaho Code §18-3302D\(1\)](#).

Any person who owns, operates, or is employed by a school, including private, for educational purposes for children four through six years of age or a private kindergarten, must comply with Idaho's criminal history check requirements. [Idaho Code §39-1105\(3\)](#)

Teacher Certification: Every person employed in an accredited private elementary or secondary school as a teacher, supervisor, administrator, education specialist, school nurse, or school librarian must hold a certificate from the state board of education for the service being rendered. The state board can endorse a certificate valid in another state for use in Idaho for not more than five years when the qualifications are not lower than those required for a certificate in Idaho. [Idaho Code §33-1201](#).

Testing: No state policy on testing or assessments regarding private schools currently exists. ([Idaho State Regulations](#))

Transportation: Public school districts may transport nonpublic school students, "where practicable, when the full costs for providing the transportation are recovered." [Idaho Code § 33-1501](#).

The Idaho Supreme Court held public funding of transportation for private school pupils unconstitutional in *Epeldi v. Engelking*, 488 P.2d 860 (1971).

The annual fee is \$24 for each school bus registered to transport children to or from school or in connection with school-approved activities and that is operated either (1) by a nonprofit, nonpublic school, or (2) according to a contract with a school district. [Idaho Code §49-402\(2\)](#).

Recordkeeping and Reports: When a student enrolls for the first time in a private elementary or secondary school, the school must notify the parent or guardian in writing that he or she must provide reliable proof of the student's identity and birth date within 30 days. If the parent or guardian fails to comply, the private school must immediately notify the local law enforcement agency of this failure and inform the parent or guardian in writing that he or she has 10 additional days to comply. The private school must immediately report to the local law enforcement agency any documentation provided that appears inaccurate or suspicious. [Idaho Code §18-4511\(2\)](#).

Within 14 days after enrolling a transfer student, the private school must request a certified copy of the student's record from his or her previous school. A private or public school must comply with the request for records within 10 days of receipt unless the student was flagged as a missing or runaway child. In that event, that school must notify the local law enforcement agency of the request for a flagged record. However, a private school that is accredited by the state board of education and that has an agreement allowing it to retain a student's records for nonpayment of tuition or fees may do so. The school must notify the student's new school of the reason the records are being withheld. And, even though the records are withheld, the school must notify the local law enforcement agency if the student's record has been flagged as described above. [Idaho Code §18-4511\(3\)](#).

Private schools are required to flag the records of any student reported missing or as a runaway by the Idaho state police. The school must report any subsequent request for the records to its local law enforcement agency. [Idaho Code §18-4511\(1\)](#).

Confidential communications by a private school student to any certificated counselor, psychologist or psychological examiner employed by a private school are privileged and protected against disclosure in any civil or criminal action to which the student is a party. [Idaho Code §9-203\(6\)](#).

Idaho's superintendent of public instruction shall notify a school district or private school regarding the enrollment of a registered juvenile sex offender and, if known, the offender's probationary or treatment status. [Idaho Code §18-8408](#).

Reimbursement for Performing State and Local Functions: No known policy. ([Idaho State Regulations](#))

Illinois

Illinois has no accreditation or licensing requirements, and registration is voluntary. Private schools must offer academic terms equal to 176 days. There are no teacher certification requirements, but schools that pursue voluntary registration must employ teachers who hold Bachelor's degrees.

Illinois Statutes:

<https://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=010500050HArt%2E+21B&ActID=1005&ChapterID=17&SeqStart=153700000&SeqEnd=156300000>

Illinois Board of Education – Nonpublic School Recognition:

<https://www.isbe.net/nonpublicprograms>

U.S. Department of Education (DoE) – Illinois State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/illinois.html>

CaseText: <https://casetext.com/regulation/illinois-administrative-code/title-23-education-and-cultural-resources/part-425-voluntary-registration-and-recognition-of-nonpublic-schools>

Private School Regulations

Registration: Voluntary. The State Superintendent of Education will make available an application to be used for schools' voluntary registration. A school's initial registration may occur at any time from October 1 through June 30 of the relevant school year. Initial registration of a school must occur by means of an application process specified by the State Superintendent. Each registration application must be received by the State Board no later than June 25 for the school to be registered by June 30. (*Ill. Admin. Code tit. 23 § 425.20*)

State Accreditation: No known regulations.

State Approval: No known regulations.

State Licensing: No known regulations.

Non-Profit or For-Profit: The chief school administrator of each school must provide evidence to the State Superintendent that the school is a not-for-profit entity that is subject to the General Not For Profit Corporation Act of 1986 [805 ILCS 105] or is incorporated as a not-for-profit entity in another state and authorized to do business in the State of Illinois pursuant to the Business Corporation Act of 1983 [805 ILCS 5]. The evidence provided must consist of the file number assigned to the not-for-profit entity by the Illinois Secretary of State, Department of Business Services. Under certain circumstances, as determined by the State Superintendent, the State Superintendent may accept an alternative form of evidence from the chief school administrator to satisfy the requirements of this subsection (a)(3). (*Ill. Admin. Code tit. 23 § 425.20*)

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: A minimum amount of formal education is mandatory in all states, whether it is public, private, religious, or homeschooling. State compulsory education laws define which types of schooling are acceptable and the ages between which school attendance is required. Illinois compulsory

education laws mandate that children between the ages of seven and 16 must attend school. For every child born in Illinois after 2021, the state also puts \$50 in their college savings account. ([FindLaw](#))

Length of School Year and Day: The chief school administrator of each school shall provide assurances to the State Superintendent that the school can document that that school offers an academic term of at least 176 days of pupil attendance annually that meets the current statutory requirements regarding minimum hours of instruction per day (see Section 10-19.05 of the Code); at least 880 per-pupil clock hours of instruction annually; or an academic term that satisfies any other minimum instructional requirement established in statute that is applicable to public schools, including possible incorporation of exceptions provided for public schools. ([Ill. Admin. Code tit. 23 § 425.20](#))

Curriculum: The chief school administrator of each school shall provide assurances to the State Superintendent that the school can document that that school provides instruction in English, except as otherwise permitted pursuant to Section 27-2 of the Code, in the branches of education taught to children of corresponding age and grade in the public schools [105 ILCS 5/26-1], including the language arts, mathematics, the biological, physical and social sciences, the fine arts, and physical development and health [105 ILCS 5/27-1]. ([Ill. Admin. Code tit. 23 § 425.20](#))

Health and Safety Requirements: The physical facilities occupied by the school comply with the applicable local building code and fire safety requirements; if the school provides reimbursable food service, the nutrition program and the facilities used must comply with the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), and the School Breakfast and Lunch Program Act [105 ILCS 125]; it has a wellness policy on file that complies with the requirements of the Child Nutrition and WIC Reauthorization Act of 2004 (section 204 of Public Law 108-265; 42 U.S.C. 1751 et seq.); it complies with the requirements of the School Safety Drill Act [105 ILCS 128], including conducting a review of the plan in accordance with Section 25(f) of that Act; it complies with the requirements of the Eye Protection in School Act [105 ILCS 115]; it complies with the requirements of the Toxic Art Supplies in Schools Act [105 ILCS 135]; it complies with the applicable requirements of the Asbestos Abatement Act [105 ILCS 105]; and it complies with the requirements of Section 22-80 of the School Code. ([Ill. Admin. Code tit. 23, § 425.30](#))

Teacher Certification: No requirements, but recognized schools must employ teachers who hold a Bachelor's degree. ([Ill. Admin. Code tit. 23 § 25.25.](#))

Testing: No publicly available information.

Transportation: District school boards may provide transportation to and from local public schools and must provide transportation, without cost, for students attending nonpublic schools. If the student resides at least one and a half miles from the school and along the regular route of the public school bus, the transportation will extend from a point on the route nearest or most easily accessible to the home and the school. If the student resides within one and a half miles from the school, transportation will be afforded on the same basis as provided for public school students. Separate bus routes for nonpublic school students are permitted if it is safer, more economical, and more efficient. ([105 ILCS 5/29-4.](#))

The school board of any school district may agree to provide transportation for students attending nonpublic school activities, if the buses are not needed for public school activities. A charge must be assessed in an amount not less than the cost, including a reasonable allowance for depreciation of the vehicle. ([105 ILCS 5/29-3.2.](#))

Recordkeeping and Reports: Every school must report to the ISBE by November 15, the number of children who have received immunizations and health examinations, the number of children who have not complied, and the number of children exempt on religious or medical grounds. [105 ILCS 5/27-8.1](#).

Illinois gives parents a statutory right to school conference and activity leave (eight hours), with certain qualifications. Nonpublic schools must notify parents of their school visitation rights. In addition, it is the responsibility of the school administrator to verify the parent or guardian's school visitation for employers. [820 ILCS 147/30](#).

Nonpublic schools may conceal the location or address of an individual covered by an order of protection issued by the courts under the Illinois Domestic Violence Act of 1986. The school must maintain a certified copy of the order in the student's records. [750 ILCS 60/222](#).

A recognized nonpublic, nonsectarian K—12 school must provide to the ISBE enrollment information about the children of military personnel. The school must provide the opportunity for the person enrolling a student to voluntarily state whether the child has a parent or guardian who is a member of a branch of the U.S. armed forces and whether that parent or guardian is deployed to active duty or expects to be deployed to active duty during the school year. [105 ILCS 5/22-70](#).

Annually, on or before December 1, a registered nonpublic school must make publicly available the identical required immunization data that is submitted to the ISBE by November 15. [105 ILCS 5/27-8.1\(6\)](#).

Each school's recognition is contingent on evidence of compliance with requirements of Section 4 of the Abuse and Neglected Child Act [325 ILCS 5/4], Section 5 of the Missing Children Records Act [325 ILCS 50/5], Section 5 of the Missing Children Registration Law [325 ILCS 55/5]. [23 Ill. Adm. Code 425.30](#) (pg.8).

Reimbursement for Performing State and Local Functions: No publicly available information.

Virtual/Online Schools

Illinois State Board of Education – Current Remote Learning Options Under Illinois Law (2021):
<https://www.isbe.net/Documents/Remote-Learning-Guidance-Chart.pdf>

According to the Illinois State Board of Education, “Any school district may establish a Remote Educational Program by resolution of its board. Districts that adopt such a policy can allow a student to participate in Remote Educational Program when there is determination by the school district and the parent/guardian that the program will best serve the student’s individual learning needs and the student meets the criteria for participation defined in the policy. This option existed in statute prior to the pandemic.” [105 ILCS 5/10-29](#) ([Illinois State Board of Education](#))

Indiana

Indiana does not have registration, accreditation, or licensure requirements, but it offers optional state recognition. Private schools must provide 180 school days each year for their full-time students to satisfy compulsory attendance law. Teacher certification requirements only apply to schools who pursue accreditation and licensure.

Indiana Department of Education (DoE) - Attendance: <https://www.in.gov/doe/files/FAQ-Attendance-2021.pdf>

Indiana Department of Education (DoE) – Accreditation: <https://www.in.gov/doe/files/office-accountability-virtual-accreditation-guide.pdf>

U.S. Department of Education – Indiana State Regulations: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/indiana.html> (updated February 2017)

CaseText: <https://casetext.com/regulation/indiana-administrative-code/title-511-indiana-state-board-of-education>

FindLaw: <https://codes.findlaw.com/in/title-20-education/>

Private School Regulations

Registration: No known requirements. ([Indiana State Regulations](#))

State Accreditation: Voluntary. "Accredited nonpublic school" means a nonpublic school that has voluntarily become accredited under IC 20-31-4.1. ([Ind. Code § 20-33-5-9](#))

State Approval: Optional. According to the US Department of Education, “Indiana State Board of Education implements a voluntary system of recognition for nonpublic school educational programs. The system recognizes the distinguishing characteristics of nonpublic schools and is separate from the accreditation standards available to nonpublic schools. 511 IAC 6.1-9.

A nonpublic school must comply with the following standards to be recognized: (A) school mission requirements; (B) governance requirements; (C) curriculum requirements; (D) personnel requirements; and (E) facility requirements. In addition, the nonpublic school must perform at the expected level in the following areas to be recognized: (A) student attendance rate; (B) for high schools, graduation rate; (C) ISTEP results; (D) mathematics proficiencies; and (E) language arts proficiencies. 511 IAC 6.1-9-3.

The school must inform the Indiana Department of Education of its intention to seek recognition on or before July 1 of the school year in which the school seeks recognition. A recognized nonpublic school seeking renewal of its recognition must notify the Indiana Department of Education of its intention to seek renewal on or before July 1 of the year preceding the expiration of its recognition. 511 IAC 6.1-9-4.

If the Indiana Department of Education determines that a recognized school no longer is in compliance with recognition requirements, then it may institute revocation proceedings before the Indiana State Board of Education. A school may appeal the Indiana Department of Education's decision to the Indiana State Board of Education. 511 IAC 6.1-9-5 and -6.” ([Indiana State Regulations](#))

State Licensing: No known requirements ([Indiana State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the Indiana Department of Education, “A child is required to attend school beginning with the school year in which the child becomes 7 years of age (I.C. 20-33-2-6). A child who will attend a nonaccredited, nonpublic school is required to attend school no later than the date on which the child becomes 7 years of age (I.C. 20-33-2-8). Note that the starting age for kindergarten (age five by August 1) does not affect the starting age for First Grade. There is no requirement that a child must be 6 years old by August 1, in order to attend First Grade.” ([Indiana DoE Attendance](#))

Length of School Year and Day: According to the US Department of Education, “In order to comply with compulsory attendance law in Indiana, a student shall attend school each year for the 180 days public schools are in session. IC §§20-33-2-5 and 20-30-2-3”. ([Indiana State Regulations](#)) *Though this regulation is a responsibility of parents and caregivers, private schools must ensure that they are offering the required day and school year lengths.*

Curriculum: According to the US Department of Education, “The Indiana State Board of Education ‘shall adopt clear, concise, and jargon free’ academic standards comparable to national and international academic standards. IC §20-31-3-1.

“Nonpublic schools that voluntarily seek state accreditation must provide instruction in: (1) the constitutions of Indiana and the United States in grades six through 12; (2) the systems of government in Indiana and the United States, methods of voting, party structures, election laws, and the responsibilities of citizen participation in grades six through 12, for five full class periods, within the two weeks preceding each general election; and (3) morals instruction, as outlined by the state superintendent, in grades one–12. IC §§20-30-1-1; 20-30-5-1, -4, and -5.

“Nonpublic high schools that voluntarily seek state accreditation must provide a course on constitutions of Indiana and the United States that discusses the historical, political, civic, sociological, economical, and philosophical aspects. IC §20-30-5-2.

“Nonpublic, non-accredited, and non-approved schools are not required to follow the curriculum or educational program content requirements set forth in IC titles 20 or 21. A student in a nonpublic, non-accredited, and non-approved school can enroll in a particular educational program or participate in a particular educational initiative offered by an accredited public, nonpublic, or state board approved nonpublic school if the governing body, superintendent or administrative authority of the school approves the enrollment or participation by the student. IC §20-33-2-12.

“Indiana's compulsory education statute requires that students attend either a public school or some other school that is taught in the English language. IC §20-33-2-4.” ([Indiana State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “Accredited non-public schools must comply with the rules of the Indiana State Board of Education under 511 IAC 2, the fire prevention and building safety commission, the Indiana Department of Health, and the Indiana Occupational Safety and Health Administration. 511 IAC 6.1-1-4 and 511 IAC 6.1-2-1.” ([Indiana State Regulations](#))

Teacher Certification: Accredited and recognized nonpublic schools are required to employ personnel that are "properly licensed" under ([511 IAC 10. 511 IAC 6.1-6-1 and -9-3](#))

Testing: According to the Indiana Department of Education, “Statewide assessment must be administered to all full-time students attending a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in [Ind. Code 20-51-1-4.7](#)) in grades subject to the statewide assessment required by federal law and in a manner prescribed by the state board.” ([Indiana DoE Assessments](#))

Transportation: Private school buses are regulated by the Indiana School Bus Committee that governs the design and operation of all school buses used for the transportation of school children. (FindLaw: [IC §20-27-3-4.](#))

Nonpublic school bus drivers are required to attend an annual safety meeting or workshop that cannot exceed two days in any one calendar year. [IC §20-27-8-9](#) (pg.15)

If a bus driver has less than 30 days experience in the three years prior to service, the bus driver must satisfactorily complete a preservice school bus driver safety education training course. The course is provided by the state superintendent of public instruction and may not exceed 40 hours. [IC §20-27-8-9](#) (pg.15)

Nonpublic school buses are subject to an annual inspection by the Indiana Police Department to determine whether each bus complies with the safety requirements prescribed for school bus construction and equipment. [IC §20-27-8-9](#) (pg.11)

The local school corporation must provide transportation without charge for nonpublic school students residing along a highway constituting the regular route of a public school bus. ([IC §20-27-11-1.](#))

Recordkeeping and Reports: Private schools may require students who initially enroll in the school to provide the name and address of the school last attended and produce reliable proof of the student's date of birth. The school shall request the student's records within 14 days of enrollment. (FindLaw: [IC §20-33-2-10\(a\)](#))

If the proof of a student's date of birth is not provided within 30 days of enrollment or appears to be inaccurate or fraudulent, the school shall notify the Indiana clearinghouse for information on missing children and missing endangered adults to determine if the child is reported missing. (FindLaw: [IC §20-33-2-10](#) (c))

Private schools must keep an accurate daily record of attendance to verify the enrollment and attendance of any particular child upon request of the state superintendent or local superintendent of the school corporation. (CaseText: [IC §20-33-2-20](#))

The principal/school administrator in every nonpublic school must furnish, on request of the state superintendent, a list of the names, addresses, and ages for all students attending the school. If a pupil withdraws from the school and the school does not receive a request for records within 15 school days, then the private school must report to the state superintendent or the local superintendent of the school corporation the name and address of the pupil and the date the pupil withdrew. (CaseText: [IC §20-33-2-21](#))

If an Indiana nonpublic school receives a request for records, the records must be promptly sent unless the student's records have been flagged by the Indiana clearinghouse for information on missing children and missing endangered adults. In that event, the nonpublic school must immediately notify the clearinghouse and may not send the records without the authorization of the clearinghouse. (CaseText: [IC §20-33-2-10\(d\)](#))

If an accredited nonpublic school receives a request for records for a student whose parent is in breach of contract for the conditions that release records, the accredited nonpublic school must provide the requesting school sufficient verbal information to allow the requesting school to make placement decisions for the student. (CaseText: [IC §20-33-2-10\(e\)](#))

A school psychologist in a counselor capacity, who received privileged or confidential communication from a student, may not disclose it except under the following circumstances: (1) trials for homicide when the disclosure relates directly to the fact or immediate circumstances of the homicide; (2) proceeding to determine mental competency or in which a defense of mental incompetency is raised; (3) civil or criminal actions regarding alleged malpractice by the school psychologist; (4) when there is an issue as to the validity of a document; (5) with the express consent of the client or, in the case of a client's death or disability, of the client's legal representative; or (6) when circumstances occur under which privileged communication is lawfully invalidated. (CaseText: [IC §20-28-12-5](#))

Virtual/Online Schools

Indiana Attorney General - Liberty In Education: School Choice

<https://www.in.gov/attorneygeneral/files/Parents-Bill-of-Rights-Liberty-in-Ed.pdf>

According to the Indiana Attorney General's Office, "Virtual schools can be private or public and offer an education program in which more than fifty percent of student instruction is provided in an interactive learning environment created through technology in which the student is separated from a teacher by time or space, or both. Ind. Code § 20-19-9-1. Public virtual schools are operated by the school district and must follow the same rules and standards as all other Indiana public schools. Charter virtual schools are public but operate with more flexibility than public virtual schools. Ind. Code § 20-24-7-13. Virtual schools provide instruction in different ways. Instruction defined as synchronous learning is teacher-led instruction where the student and teacher/class interact in real-time via the computer. Asynchronous learning includes instruction in which the student and teacher are separated by time and occurs via email or online discussion forums. Blended learning provides a hybrid model where students receive instruction both in-person at a school facility and online with students retaining some degree of control over time, location, and pace."

Micro Schools/Learning Pods

Indiana Attorney General - Liberty in Education (School Choice):

According to the Indiana Attorney General's Office, "Learning pods' are not explicitly defined under Indiana law, but pods that are not under the control of a public school (as discussed in the public school section) are considered private schools that are either accredited or non-accredited by the State of Indiana. In a learning pod, or a microschool as they are often referred to, a group of parents may serve as teachers or pool resources to hire teachers, tutors, or instructors. The rules that a private microschool/pod must follow depend on its accreditation status, which is discussed below. A distinct difference between homeschool parents getting their children together for activities and a private microschool/pod is that the homeschool parent makes all educational decisions for the student, whereas in a private learning pod, the authority is shared." (<https://www.in.gov/attorneygeneral/files/Parents-Bill-of-Rights-Liberty-in-Ed.pdf> pg. 62)

Iowa

Iowa has general accreditation standards, but participation is voluntary. All schools must provide 147 days of instruction each year, but accredited schools must provide 180 days. Similarly, only accredited private schools have teacher licensure and certification requirements.

Administrative Code: <https://www.legis.iowa.gov/law/iowaCode/chapters?title=VII>

Iowa Department of Education (DoE) – Assessments: <https://educateiowa.gov/pk-12/student-assessment-pk-12>

U.S. Department of Education (DoE) – Iowa State Regulations:
<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/iowa.html#:~:text=As%20a%20condition%20of%20graduation,four%20years%20of%20English%20and>

Private School Regulations

Registration: No requirements ([Iowa State Regulations](#))

State Accreditation: Voluntary. A nonpublic school must meet the general accreditation standards if it wishes to be designated as accredited for operation in Iowa. [IAC 281-12.1](#) A nonpublic school which offers only a prekindergarten may, but is not required to, seek and obtain accreditation. ([IAC 281-12.5\(1\)](#))

State Approval: No requirements, except for private providers of online course content or full-time online instruction who shall apply for approval to offer such services to Iowa school districts and accredited nonpublic schools a minimum of once every three years on forms provided by the department. ([IAC 281-15.5\(4\)](#))

State Licensing: No known requirements. ([Iowa State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Except as provided in subsections 2 and 3, a child who has reached the age of six and is under sixteen years of age by September 15 is of compulsory attendance age. However, if a child enrolled in a school district or accredited nonpublic school reaches the age of sixteen on or after September 15, the child remains of compulsory age until the end of the regular school calendar. ([Iowa Code §299.1A](#))

Length of School Year and Day: Nonpublic schools must prescribe an attendance policy which requires student attendance for at least 148 days, with at least 37 days each quarter. [Iowa Code §280.3](#).

An accredited nonpublic school calendar must include at least 180 days or 1080 hours of instruction. [Iowa Code §279.10\(1\)](#).

Curriculum: Iowa State Board of Education rules require that a "multicultural, gender-fair approach" be used by state accredited nonpublic schools and that global perspectives be incorporated into all levels of the educational program. ([IAC §256.11](#), and [IAC 281-12.5\(5\)](#))

Health and Safety Requirements: Employees of accredited nonpublic schools may not inflict corporal punishment on a student. The employee may use reasonable force for the protection of the employee, student, other students, or property. [Iowa Code §280.21](#) and [Iowa Admin. Code r. 281-103](#).

Nonpublic schools cannot require non-administrative personnel to perform any special health services or intrusive non-emergency medical services for students unless the personnel are licensed or otherwise qualified and have consented to perform the services. [Iowa Code §280.23](#).

It is a misdemeanor to possess or consume alcoholic liquors, wine, or beer while attending a private school-related function. [Iowa Code §123.46\(2\)](#).

Nonpublic schools must prescribe procedures for handling child abuse reports alleged against an employee or agent of the school in accordance with state guidelines. [Iowa Code §280.17](#).

Private schools must cooperate with investigations of child abuse conducted by the Department of Human Services. The school must provide confidential access to the child alleged to be abused and to other children to obtain relevant information. The investigator may observe the child but a witness must be present. Any child age 10 or older can terminate contact with the investigator by stating his desire to do so. [Iowa Code §232.71B\(7\)](#) (pg. 2)

Nonpublic schools must provide eye- and ear-protective devices for students and teachers participating in shop or laboratory courses that pose a potential hazard. [Iowa Code §280.10](#) and [§280.11](#).

Private schools must conduct two fire drills and two tornado drills between July 1 and Dec. 31 of each year and again between Jan. 1 and June 30 of each year. Doors and exits of all rooms and buildings must be unlocked when occupied. Fire/tornado warning systems must be installed and first-aid fire extinguishers available. Private schools are inspected by the state fire marshal's office or the local city fire department at least once every two years to assess compliance with the fire-safety standards and to identify potential fire hazards. [Iowa Code §100.31](#).

Teacher Certification: Nonpublic school teachers that are employed by schools accredited by the Iowa State Board of Education must hold a license or certificate for the position of employment held. [Iowa Admin. Code R.281-12.4\(8\)](#).

An accredited nonpublic school must maintain adequate staffing. [Iowa Code §280.14](#).

A nonpublic school superintendent may serve as an elementary school or high school principal in that school provided that the superintendent holds the proper licensure/certification. [Iowa Admin. Code r. 281-12.4\(4\)](#).

Testing: Iowa statute requires the State Board of Education to adopt rules regarding assessment of and reporting of student achievement. Iowa Code § 256.7(21). Pursuant to that statutory authority, the State Board promulgated a rule requiring “assessment of student progress for all students.” [Iowa Admin. Code r. 281—12.8\(1\)\(f\)](#).

Transportation: Iowa students attending accredited nonpublic schools are entitled to transportation on the same basis as that provided public school students. Parents may be reimbursed for some transportation costs. ([Iowa Code §§285.1\(3\), 285 and 285.16](#).)

School bus drivers must meet statutory qualifications (e.g., be 18 years of age, physically and mentally competent). Nonpublic schools may immediately suspend a driver, pending a hearing, for the use of

nonprescription controlled substances or alcoholic beverages during work hours. (See statute for other grounds for immediate dismissal.) [Iowa Code §321.375](#).

Private school buses are registered without charge upon application to the Iowa Department of Motor Vehicles. [Iowa Code §321.18](#).

All private contractors wishing to transport pupils to and from school in privately owned vehicles must be under contract with the local board of education. This requirement does not apply to individuals who transport their own children or other children on a not-for-hire basis. 281-43.3(285). School buses may only be used to transport pupils under the following conditions: the program is part of the regular or extracurricular program of a public school and has been so adopted and made a matter of record in the minutes of all the boards involved and the pupils are enrolled in a public school. ([IAC 281-43.10\(285,1,2\)](#))

Recordkeeping and Reports: Each school district and accredited nonpublic school shall include in its comprehensive school improvement plan a list and description of the online coursework offered by the school district or accredited nonpublic school to which the student is enrolled. ([IAC 281-15.12\(2\)](#))

Reimbursement for Performing State and Local Functions: No publicly available information.

Virtual/Online Schools

Accreditation: Any course that is not part of the offer-and-teach requirements for grades 9 through 12 may be provided by an area education agency, by the school district or accredited nonpublic school, or through an online learning platform or online exchange offered by the department in collaboration with area education agencies, school districts, or nonpublic schools. ([IAC 15.8\(2\)](#))

Licensing: Instruction provided by telecommunications must be taught by an appropriately licensed and endorsed teacher. When the curriculum is taught by an appropriately licensed teacher at the location at which the telecommunications originate, the curriculum received at a remote site shall be under the supervision of a licensed teacher. [IAC 281-15.3\(3\)](#)

Establishing an online learning model. An online learning program model is established by the director, pursuant to Iowa Code section 256.9, that provides districts and nonpublic schools with a list of approved online providers. The online learning program model requires that approved providers meet criteria for approval. ([IAC 281-15.5\(256\)](#))

Curriculum: A school district or nonpublic school may provide an online learning program to deliver online learning and online coursework to students attending the district or school. Such a program must meet the following content and delivery requirements: [IAC 281-15.8-1\(256\)](#)

Recordkeeping and Reporting: A school district providing educational instruction and course content delivered primarily over the Internet that is required to seek approval under subrule 15.7(4) shall annually submit to the department, in the manner prescribed by the department. ([IAC 281-15.12\(2\)](#).)

Kansas

All private schools must register with the state, but there is no approval or denial process. Schools must hold classes for the time equivalent to that required of public schools, which is 1,116 hours per year. Statute specifies that private school teachers must be “competent instructors,” but there are no certification requirements.

Secretary of State: https://sos.ks.gov/publications/pubs_kar.aspx

Kansas Department of Education (DoE) – Non-Accredited Private Schools (NAPS):

<https://www.ksde.org/agency/division-of-learning-services/special-education-and-title-services/title-services/non-accredited-private-schools>

U.S. Department of Education (DoE) – Kansas State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/kansas.html> (updated June 2015)

Private School Regulations

Registration: Required. Non-accredited private schools are required by law to register the name and address of the private elementary or secondary school (homeschool) with the State Board of Education ([Kansas DoE NAPS](#))

State Accreditation: No Known requirements ([Kansas DoE NAPS](#) and [K.A.R. 91-31-32](#))

State Approval: No known requirements ([Kansas DoE NAPS](#))

State Licensing: No known requirements ([Kansas State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: No publicly available information.

Length of School Year and Day: According to the Kansas Department of Education, “Classes must be held for a period of time which is substantially equivalent to the time public schools are in session. The time required for public schools is at least 186 days of not less than 6 hours per day, or 1116 hours per year for grades 1-11.” ([Kansas DoE NAPS](#))

Curriculum: According to the Kansas Department of Education, “Non-accredited private schools are responsible for acquiring their own books and curriculum materials. The State Department of Education does not supply books, curriculum materials or technical assistance for non-accredited private schools. The NAPS must issue their own high school diplomas. These diplomas are not recognized by the State of Kansas as meeting any requirements.” ([Kansas DoE NAPS](#))

Health and Safety Requirements: Every pupil up to the age of nine years who has not been previously enrolled in any Kansas school must present the results of a health assessment prior to admission to or attendance in school. A health assessment includes a health history, physical examination, and such screening tests as are medically indicated to determine hearing ability, vision ability, nutrition adequacy,

and appropriate growth and development. Before the beginning of each school year, nonpublic schools must provide all known incoming students who are subject to this provision with a copy of any governing policy adopted by the governing body of the nonpublic school. Parents are exempt if they are opposed to the assessment based on the religious teachings of their denomination and file a signed statement to that effect. Local health departments and clinics may charge a sliding fee for the health assessment, but no pupil can be denied the health assessment due to inability to pay. [K.S.A. §72-5214](#).

Private school students enrolling for the first time must present certification that they have received the tests and inoculations as required by the secretary of the Kansas Department of Health and Environment. Alternatively, a student may present medical certification that the test or inoculation would seriously harm his or her health or a written statement that the student is an adherent of a religious denomination whose teachings are opposed to such tenets or inoculations. On or before May 15 of each school year, private schools must give a copy of this provision and any relevant school policy to all known pupils who are enrolled or will be enrolling in the school. If a pupil transfers schools, the school must forward the certification or statement with the pupil's transcript to the new school. The area health department will provide tests and inoculations at public expense, to the extent that funds are available, when parents or guardians have not provided for the pupils and are not exempt on religious or medical grounds. [K.S.A. §§72-5209 – 5210](#).

Parochial and private school principals have a duty to exclude children affected with diseases suspected of being infectious or contagious until the expiration of the prescribed period of isolation for the particular disease. [K.S.A. §65-122](#).

All private schools must provide a basic vision screening without charge to every pupil not less than once every two years. The school board must designate someone to perform the test and notify parents or guardians if an examination by a physician or optometrist is warranted. [K.S.A. §72-5204 – §5205](#).

Private and nonpublic schools are subject to annual safety inspections. The state fire marshal will notify the school of any dangerous conditions that require correction. Schools may petition for review in the local district court if they disagree with the fire marshal's assessment. [K.S.A. §31-144](#).

Administrators of private schools are required to conduct at least one fire drill each month at some time during school hours as prescribed by the state fire marshal. In addition, private schools are required to conduct at least three tornado drills during the school year, subject to the fire marshal's approval. [K.S.A. §31-133\(a\)\(5\), \(8\)](#).

Private school buildings must comply with applicable building, mechanical, electric, and plumbing codes. In addition, the construction of all school buildings must be accessible to persons with a disability to the extent required by the Americans with Disabilities Act. All school building construction plans must bear the seal of a licensed architect or engineer and must be submitted to the Kansas State Board of Education for approval. [K.S.A. §31-150](#).

Teacher Certification: Non-accredited private schools are not required to employ teachers who are licensed by the state; however, courses must be taught by competent instructors. ([Kansas DoE NAPS](#))

Testing: Testing requirements are not placed on non-accredited private schools.

Accredited private schools must have 95 percent or more of all students and 95 percent or more of each student subgroup take the state assessments. [K.A.R. 91-31-32\(b\)\(2\)](#).

Transportation: No active legislation.

Recordkeeping and Reports: Every nonpublic school operating within Kansas must require proof of identity, preferably a birth certificate or pupil records from a prior school, whenever a child enrolls in a school for the first time. If proof of identity is not presented within 30 days, the governing authority must give written notice to the local law enforcement agency for an investigation into the identity of the child. Persons with custody of the child must not be informed of the investigation while it is being conducted. [K.S.A. §72-9934](#).

The governing authority of a nonpublic school must adopt rules for determining valid excuses for absence from school. [K.S.A. §72-3121](#)

Virtual/Online Schools

According to the Kansas Department of Education Virtual Schools and Programs resource site, “a virtual school or program is:

- offered for credit;
 - uses distance learning technologies which predominately use internet-based methods to deliver instruction;
 - involves instruction that occurs asynchronously with the teacher and pupil in separate locations;
 - requires the pupil to make academic progress toward the next grade level and matriculation from kindergarten through high school graduation;
 - requires the pupil to demonstrate competence in subject matter for each class or subject in which the pupil is enrolled as part of the virtual school; and
 - requires age-appropriate pupils to complete state assessment tests.”
- ([Kansas DoE Virtual Schools and Programs](#)).

Kentucky

Accreditation, approval, and licensing are optional for private schools in Kentucky. Schools must provide no fewer than 1,062 hours of schooling each calendar year. Kentucky has minimum standards for all private school teachers.

Kentucky Non-Public School Information Packet:

<https://education.ky.gov/federal/fed/Documents/Kentucky%20Nonpublic%20Information%20Packet.pdf>

U.S. Department of Education (DoE) – Kentucky State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/kentucky.html>

Private School Regulations

Registration: No requirements.

State Accreditation: Optional. According to the US Department of Education, “In order for a nonpublic school to become certified, the school must first be accredited by one of the accrediting agencies recognized by the Kentucky Board of Education (KBE) and the Kentucky Non-Public School Commission (KNPSC).” ([Kentucky State Regulations](#))

State Approval: See Licensing. ([Kentucky State Regulations](#))

State Licensing: Optional. Kentucky law provides optional certification for private, parochial, and church schools that comply with curriculum, certification, and textbook standards established by the KBE. [Kentucky Revised Statutes \(KRS\) §156.160\(3\)](#).

Pupils completing the prescribed elementary program of studies at any approved (interchangeable with certified in Kentucky) private or parochial school are entitled to a certificate of completion signed by his/her teachers. The certificate entitles the pupils to admission into any public high school. [KRS §158.140](#).

Proprietary schools are defined as privately owned, for-profit educational institutions offering instruction in business, trade, technical, industrial, or related areas, but not including parochial, denominational, or charitable schools, cannot be established, maintained, operated, or conducted without a license. [KRS §165A.310](#) and [§165A.330](#).

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the Kentucky Department of Education, “Kentucky law requires school attendance for every child between the ages of 6-18 either in a public school or a non-public, private school chosen by the parent, which also includes homeschool. They are expected to complete a minimum school term of at least of 170 instructional days with records indicating an overall total of 1062 instructional hours completed.” ([Non-Public School Information Packet, pg. 2](#))

Length of School Year and Day: The school term for private and parochial schools may not be shorter than the term of the local public school district; if the school operates year-round then the minimum term

is 185 days that includes no less than the equivalent of 1062 instructional hours in a minimum of 170 instructional days. [KRS §158.070](#) and [§158.080](#)

See compulsory attendance. According to the Kentucky Department of Education, “Minimum school term of at least of 170 instructional days with records indicating an overall total of 1062 instructional hours completed.” ([Non-Public School Information Packet, pg. 2](#))

Curriculum: According to the Kentucky Department of Education, “Private schools are required to teach subjects that will educate children to be intelligent citizens. Courses should be taught in the English language and should include subjects similar to those taught in public schools, which should include *at least* reading, writing, spelling, grammar, history, mathematics, and civics.” ([Non-Public School Information Packet, pg. 2](#))

Health and Safety Requirements: Persons smoking tobacco products on school grounds while children are assembled will be fined between \$1 and \$5, except adult employees smoking in a designated room or individuals smoking in designated areas in secondary schools. [KRS §438.050](#).

If the local board of health or Cabinet for Health and Family Services determines a school building is unsanitary, unsafe, or constructed in violation of the law, the local board of health or Cabinet for Health and Family Services "may institute an action in the Circuit Court of the county where the building is situated, and the court, after due hearing and verifying the facts, may order a safe and sanitary school building to be erected within a reasonable time by the county or city board of education in accordance with the laws of the state governing the erection of schoolhouses and the control of disease, and the rules and regulations of the Cabinet for Health and Family Services." [KRS §212.210\(3\)](#).

The KDE operates a program to identify and locate missing children. By statute, the KDE must distribute a list of missing and recovered Kentucky school children to private schools weekly. Private schools must notify the KDE at its earliest known contact with any child appearing on the list. [KRS §156.495](#).

Teacher Certification: Proprietary schools are subject to state minimum standards. The standards include qualifications of instructors and administrators. [KRS §165A.370](#).

Testing: No state policy currently exists. ([Kentucky State Regulations](#))

Transportation: According to the US Department of Education, “School districts that ‘contract to furnish transportation to students attending nonpublic schools may adopt any payment formula which assures that no public school funds are used for the transportation of nonpublic students.’” [KRS §157.360\(2\)\(c\)](#). ([Kentucky State Regulations](#))

Recordkeeping and Reports: According to the Kentucky Department of Education, “When children attend a private school it is the responsibility of the private school to report to the local public school superintendent the names, ages, and residence of all pupils. If a private school declines to notify the local school board of students in attendance at the private school, the private school must notify each parent in writing and it becomes the duty of the parent to notify the local board of education.

Private schools are required to keep accurate record of pupil attendance. They are also responsible for issuing and keeping record of issued diplomas.” ([Non-Public School Information Packet, pg. 2](#))

Private and parochial schools must keep student attendance records in a register provided by the State Board for Elementary and Secondary Education. The schools must make attendance and scholarship reports in the same manner as required of public school officials. The schools must be open to inspection

by the directors of pupil personnel and officials of the Kentucky Department of Education (KDE) at all times. [KRS §159.040](#).

The schools must be open to inspection by the directors of pupil personnel and officials of the Kentucky Department of Education (KDE) at all times.

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([Kentucky State Regulations](#))

Virtual/Online Schools

Kentucky General Assembly: <https://apps.legislature.ky.gov/law/kar/titles/704/003/535/>

([704 KAR 3:535](#)) For any full-time enrolled online, virtual and remote program it operates, school districts shall ensure that: (a) All of the education services and requirements as a physical school to fully support the academic, social, emotional, and mental health needs of the learner are provided; (b) The online, virtual and remote learning program meets the requirements set forth in 704 KAR 3:305; (c) The online, virtual and remote learning program is aligned to the academic and curricular requirements of the district; and (d) A student enrolled in a full-time enrolled online, virtual and remote learning program shall be eligible to participate in one (1) or more types of programs to address student learning needs, which shall include credit acceleration, credit accumulation, and an innovative path to graduation.

For more information, also visit <https://education.ky.gov/school/diglrn/virtualcourse/Pages/default.aspx>.

Louisiana

Registration is required for all Louisiana private schools, but approval and accreditation are optional. Schools must provide 57,750 minutes of class time each calendar year. Teachers must either be certified, meet a set of education standards, or obtain a Nonpublic Temporary Teaching Authorization while pursuing one of the former requirements.

Louisiana Department of Education (DoE): <https://www.louisianabelieves.com/schools/nonpublic-schools>

Louisiana Administrative Code: <https://www.doa.la.gov/doa/osr/louisiana-administrative-code/>

Louisiana Administrative Code (Title 28): <https://www.doa.la.gov/media/p0glgzf1/28v79.pdf>

Louisiana DoE - Guidelines for Nonpublic School Not Seeking State Approval:
https://www.louisianabelieves.com/docs/default-source/nonpublic-schools/nonpublic-schools-not-seeking-state-approval-guidelines-and-instructions.pdf?sfvrsn=cb1ac7bf_35

U.S. Department of Education (DoE) – Louisiana State Regulations:
<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/louisiana.html>

Private School Regulations

Registration: Voluntary. Schools are classified according to the following categories:

- 1. Approved (A)**—school meets all standards specified in standards for approval of nonpublic schools. There shall be two types of approved schools: a. accredited approved school—school is: i. currently accredited by the Southern Association of Colleges and Schools (SACS); or ii. currently accredited by a member the National Association of Independent Schools (NAIS); and iii. the school meets all other criteria established by this bulletin for Board of Elementary and Secondary Education (BESE) iv. the LDE may also accept accreditation from other school accreditation agencies, but may require the submission of additional information from the school so as to ensure consistent quality; b. non-accredited approved school—school is not currently accredited by SACS or a member of NAIS, but has met all criteria established by this bulletin for approval; c. Louisiana Montessori accredited approved school—school meets the Louisiana Montessori Association’s accreditation requirements and all other approval criteria established by this bulletin for Board of Elementary and Secondary Education (BESE) approval; d. Louisiana Montessori provisionally accredited approved school—school is working toward meeting the Louisiana Montessori Association’s accreditation requirements and has met all other approval criteria established by this bulletin for Board of Elementary and Secondary Education (BESE) approval;
- 2. Registered**—school is not accredited by SACS or NAIS and has not met the criteria established by the department for approval, or does not wish to seek state approval. Accredited schools shall be approved by BESE for the duration of such accreditation, up to five years. BESE approval shall be reviewed in the school year following the renewal of such accreditation. Each accredited, approved school shall annually demonstrate to the LDE that the school meets the health, safety, and welfare requirements as established in this bulletin. Additionally, each accredited, approved high school shall annually demonstrate to the LDE that it is providing an appropriate four-year course of study. (*LA Admin Code: 28 §107.*)

State Accreditation: Voluntary. See *Registration* (*LA Admin Code: 28 §107(F).*)

State Approval: Voluntary. *See Registration.* To benefit from state and federal funds, schools need approval must submit annual enrollment report in the fall. ([LA Admin Code: 28 §107.](#))

State Licensing: No known requirements ([Louisiana State Regulations](#))

Non-Profit or For-Profit: Nonprofit required for approval. ([LA Admin Code: 28 §107.](#))

Commercial Space: No publicly available information.

Liability Insurance: The school administrator shall maintain in force at all times current liability insurance for the operation of a school to ensure medical coverage for children in the event of accident or injury. The school shall have documentation of the accident or injury on file. Documentation shall consist of the insurance policy or current binder that includes the name of the school facility, physical address of the facility, name of the insurance company, policy number, period of coverage, and explanation of the coverage. ([LA Admin Code: 28 §3001.](#))

Compulsory Attendance: Students who have attained the age of seven years shall attend a public or private school or participate in an approved home study program until they reach the age of 18 years. ([LA Admin Code: 28 §901.](#))

Length of School Year and Day: Each school will adopt a calendar that includes 57,750 minutes of instructional time. A nonpublic school may modify the total number of instructional minutes per day and instructional days per year, provided that 57,750 minutes of instructional time per year are scheduled. ([LA Admin Code: 28 §117.](#))

Curriculum: The school shall plan and implement a continuous program of skills, concepts, and instruction in a learning environment designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his/her potential. ([LA Admin Code: 28 §2101](#)) For incoming freshmen in 2009-2010 and beyond, the 24 units required for graduation shall include 16 required units and 8 elective units for the Louisiana Basic Core Curriculum, or 21 required units and 3 elective units for the Louisiana Core 4 Curriculum. ([LA Admin Code: 28 §2109](#))

Health and Safety Requirements: Each student entering any school within the state for the first time, at the time of registration or entry, shall present satisfactory evidence of immunity to or immunization against vaccine-preventable diseases according to a schedule approved by the Office of Public Health (OPH), Department of Health and Hospitals (DHH), or shall present evidence of an immunization program in progress. ([LA Admin Code: 28 §1101 and §1103](#))

Teacher Certification: Each member of the instructional staff teaching secular subjects, pre-kindergarten through 12, shall meet one of the following three options listed here: [LA Admin Code: 28 §303.](#)

Testing: Optional. A nonpublic high school choosing to issue a state diploma shall meet state requirements. Any approved nonpublic school may award a school diploma to any student who meets the state minimum high school graduation requirements. Any approved nonpublic school that participates in the state Exit Testing Program shall award a state and/or school diploma to a student who successfully completes the state's minimum graduation requirements and meets the assessment requirements. ([LA Admin Code: 28 §2111](#))

Transportation: If transportation is not provided by the public school board, parents of students attending nonpublic schools shall be reimbursed for transportation, provided funds are appropriated. [LA Admin Code: 28 §1901.](#)

Recordkeeping and Reports: Each school shall maintain necessary records for the effective operation of the school. Each nonpublic school shall keep records which shall provide for the registration and attendance of students of students and shall maintain an up-to-date permanent record of individual students showing personal data and progress through school. ([LA Admin Code: 28 §505.](#))

Reimbursement for Performing State and Local Functions: Annually, the superintendent of education reimburses approved nonpublic schools for the actual cost incurred for providing school services, maintaining records, and completing and filing mandatory reports, e.g. forms, reports, or records relative to school approval or evaluation, public attendance, pupil health and pupil health testing, transportation of pupils, federally funded educational programs, including school lunch and breakfast programs, school textbooks and supplies, library books, pupil appraisal, pupil progress, transfer of pupils, teacher certification, teacher continuing education programs, unemployment, and annual school data. (Justia: [La. R.S. Ann. §17:361](#))

Virtual/Online Schools

Definitions: *Remote Instruction:* An educational model in which the student and educator are not physically present in a traditional classroom environment where instruction may be facilitated by the use of computers, technology, and the internet. *Hybrid Instruction:* Instruction provided via a combination of face-to-face and remote models. ([LA Admin Code: 28 §907.](#))

Attendance: Students are considered to be in attendance during remote or hybrid instruction when attendance is checked and recorded on each school day and at the beginning of each class period in accordance with R.S. 17:232. B.(1) and when at least one of the requirements is met. ([LA Admin Code: 28 §907.](#))

Maine

Private schools must be approved by the state of Maine, which may be obtained through one of several options. Instructional days must take place for 175 days of the year. There is no universal teacher certification requirement, but schools must report their staff information to the Maine Department of Education.

Maine Department of Education (DoE) - Approval:

<https://www.maine.gov/doe/schools/schoolops/privatechoolapproval>

Maina Legislature – Private Schools: <http://www.mainelegislature.org/legis/statutes/20-A/title20-Ach117sec0.html>

U.S. Department of Education (DoE) – Maine State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/maine.html>

Private School Regulations

Registration: No requirements ([Maine State Regulations](#))

State Accreditation: Voluntary. Any private school which chooses the accreditation method of approval shall make available to the commissioner on a timely basis all accreditation reports on the school and shall notify the commissioner promptly upon a determination that the school is not accredited or is on probation. ([Maine Legislature §2906](#))

State Approval: Required. ([Maine Legislature §2901](#))

State Licensing: No requirements ([Maine State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Persons 6 years of age or older and under 17 years of age shall attend a public day school during the time it is in regular session. ([Maine Legislature §5001-A](#))

Alternatives to attendance at public day school are as follows. A person 5 years of age or older and under 6 years of age is not required to meet the requirements of this subsection. Equivalent instruction alternatives are as follows. A person is excused from attending a public day school if the person obtains equivalent instruction listed [here](#).

Length of School Year and Day: A school administrative unit shall make provision for the maintenance of all of its schools for at least 180 days a year. At least 175 days shall be used for instruction. In meeting the requirement of a 180-day school year, no more than 5 days may be used for in-service education of teachers, administrative meetings, parent-teacher conferences, records' days and similar activities. ([Maine Legislature §4801](#))

Curriculum: Provide instruction in elementary schools as specified in sections 4701, 4704, 4706 and 4711 and in secondary schools as specified in sections 4701, 4704, 4706, 4722, 4723 and 4724. ([Maine Legislature – Instruction](#))

Health and Safety Requirements: Comply with the immunization provisions under chapter 223, subchapter 2. ([Maine Legislature §2902-1](#))

Teacher Certification: Required. All private schools, new or continuing, seeking approval status must provide updated staff information in the NEO staff module by September 1. ([Title 20-A §2902\(5\)](#).)

Testing: Required for tuition purposes. Must participate in the statewide assessment program to measure and evaluate the academic achievements of students. ([Title 20-A §2951 \(6\)](#))

Transportation: According to the US Department of Education, “Municipalities may appropriate money to provide transportation of school children to and from nonprofit schools other than public schools. Me. Rev. Stat. Ann. title 30-A §5724.5.” ([Maine State Regulations](#))

Recordkeeping and Reports: Private schools receiving public tuition funds are required to complete a variety of annual student and staff reports. These reports include semi-annual enrollment, quarterly daily attendance/behavior/truancy, graduation, and other. ([Maine DoE Approval](#))

Reimbursement for Performing State and Local Functions: Must be approved. ([Maine Legislature §2951.](#))

Micro Schools/Learning Pods

A nonprofit institution, not otherwise approved under this subchapter, may operate as an approved nontraditional limited purpose school if it demonstrates a commitment to the educational process and to the State's youth by possessing the following: A. An incorporated council, board of trustees, board of directors or other governing board composed of a cross section of the community served by the school; [PL 1987, c. 250 (NEW).]

B. An established educational plan; [PL 1987, c. 250 (NEW).]

C. A written curriculum with appropriate goals, objectives and instructional strategies; [PL 1987, c. 250 (NEW).]

D. Specific instructional time commensurate with the educational activities planned; [PL 1987, c. 250 (NEW).]

E. Facilities that comply with state health, safety and fire codes; [PL 1987, c. 250 (NEW).]

F. An instructional staff certified by the Department of Education where appropriate and endorsement by professional boards in areas where the State does not have certification standards or professional standards agreed upon by the department and the respective institution; [PL 1989, c. 700, Pt. A, §47 (AMD).]

G. School health services that include a registered nurse in residence when students are in attendance or the appointment of a school or consulting physician; [PL 1987, c. 250 (NEW).]

H. Established written emergency and safety procedures, including periodic fire drills whenever appropriate; [PL 1987, c. 250 (NEW).]

I. The unique up-to-date equipment necessary to the services provided; [PL 1987, c. 250 (NEW).]

J. A demonstrated commitment to work cooperatively with state public schools in an effort to meet the specific aspiration needs of Maine students; and [PL 1987, c. 250 (NEW).]

K. Scholarship assistance to the State's youth. [PL 1987, c. 250 (NEW).]

[\(Title 20-A §2907\)](#)

Maryland

Maryland has registration and approval requirements for private schools. Churches (and similar religious institutions) operating schools must provide proof of the organization's legal status to be exempt from registration requirements. Depending on how the private schools are classified, they must provide 170 to 180 days of schooling each year. Maryland also has teaching certification requirements, which vary depending on how the private school is classified.

U.S. Department of Education – Maryland State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/maryland.html>

Nonpublic School Approval: <https://marylandpublicschools.org/about/Pages/DEE/NPSA/index.aspx>

CaseText: <https://casetext.com/regulation/maryland-administrative-code/title-13a-state-board-of-education>

Maryland State Department of Education (DoE) Division of Student, Family, and School Support – Frequently Asked Questions (FAQs) Regarding Home Instruction in Maryland:

https://tcps.k12.md.us/wp-content/uploads/2021/02/Home_Instruction_FAQ_2.4.2020.pdf

Private School Regulations

Registration: Mandatory. Institutions operated by bona fide church organizations are exempt from the requirement to hold a certificate of approval from the Maryland State Board of Education if the legal authority of the bona fide church organization chooses. The head of a bona fide church organization must register a school operated by the organization by giving the school's name and address and submitting acceptable evidence of the organization's legal authority status. In addition, the organization's head must provide to the Nonpublic School Approval Branch of the Maryland State Department of Education certification of the legal authority's assumption of responsibility for governing and operating the nonpublic school. Schools in this category are called "church-exempt" schools. [Annotated Code of Maryland, Education Article §2-206](#) (e)(4).

State Accreditation: No requirements. ([Maryland State Regulations](#))

State Approval: Mandatory. Certificates of approval are required in Maryland to operate "noncollegiate educational institutions." A certificate of approval is issued based on the adequacy and appropriateness of the facilities, conditions of entrance and scholarship, and educational qualifications and standards for the purpose of the institution, its program, personnel requirements, and certificates or diplomas issued. Institutions operated by bona fide church organizations are exempt from the requirement to hold a certificate of approval from the Maryland State Board of Education if the legal authority of the bona fide church organization so chooses. [Annotated Code of Maryland, Education Article §2-206\(e\)](#) and (CaseText: [COMAR 13A.09.09.01](#).)

An approved nonpublic school must certify to the Maryland Department of Education that it does not practice discrimination based upon race, color, or national origin. [Annotated Code of Maryland, Education Article §2-206\(e\)\(3\)](#) and [COMAR 13A.09.09.04H](#) and [COMAR 13A.09.10.06A.\(3\)](#).

An approved nonpublic school must display its certificate of approval in a "conspicuous place" on the premises. [COMAR 13A.09.09.03 E](#) and [COMAR 13A.09.10.03G](#).

Regulations promulgated pursuant to Education Article §2-206 for approval of nonpublic schools include COMAR 13A.09.09, Educational Programs in Nonpublic Schools for private schools that are parent pay, and COMAR 13A.09.10, Educational Programs in Nonpublic Schools and Child Care and Treatment Facilities for schools that receive public funding.

As with other nonpublic school programs in the state, Montessori programs must hold a certificate of approval issued by the Maryland State Board of Education. In addition, each approved nonpublic Montessori school must hold a certificate from a Department-recognized Montessori validating organization. By July 1, 2015, all approved (prior to Sept. 1, 2009) nonpublic Montessori schools must also possess a validating certificate issued by a Department-recognized Montessori validating organization. [COMAR 13A.09.09.02B \(11\)](#) and [13A.09.09.03N \(1-2\)](#)

State Licensing: Has several requirements. According to the US Department of Education, “Registered bona fide church organizations, and other entities desiring to operate nonpublic nursery schools, must hold valid child care center licenses or letters of compliance issued by the Maryland State Department of Education, Office of Child Care. Approval to operate nonpublic nursery schools is granted in accordance with Code of Maryland Regulations (COMAR)13A.16.16 Educational Programs in Nonpublic Nursery Schools. Licenses are issued in accordance with COMAR 13A.16 Child Care Center Licensing and COMAR 13A.17 Letters of Compliance.

Nonpublic nursery schools operated by tax-exempt religious organizations that desire to obtain approval to operate from the Maryland State Department of Education, Office of Child Care are exempt from child care center licensing requirements. Annotated Code of Maryland, Family Law Article §5-574.

There are no child care center licensing requirements for nonpublic kindergartens and grades 1–12.” ([Maryland State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: The compulsory attendance law is found in Education Article, §7-301, Annotated Code of Maryland. According to the Maryland Department of Education, “It states that each child who resides in Maryland and is 5 years old or older and under 18 shall attend a public school regularly during the entire school year. The law includes several exceptions, however, two of which apply to home instruction. First, a child is exempt from the law if he or she “is receiving regular, thorough instruction during the school year in the studies usually taught in the public schools to children of the same age.” Maryland recognizes home instruction as a means for children to receive regular, thorough instruction. Second, a child is exempt from the law if he or she “has completed” a home instruction program as determined by the parent or guardian and verified by the local school system or supervising entity.” ([Maryland DoE FAQs, pg. 1](#))

Length of School Year and Day: A nonpublic school approved under COMAR 13A.09.09 (private pay) must provide for at least 170 days for implementation of the school program. COMAR 13A.09.09.10B.

A nonpublic school approved under COMAR 13A.09.10 (publicly funded) shall provide at least 180 days of instruction. [COMAR 13A.09.10.14B](#).

Curriculum: The state board of education establishes minimum requirements for certificates or diplomas issued by private noncollegiate educational institutions, which include private K–12 schools. Annotated

Code of Maryland, Education Article §2-206(d). An approved nonpublic school must have an educational program in English, language arts, mathematics, science, and social studies for kindergarten and all other grades. [COMAR 13A.09.09.07 \(A\)\(2\)](#).

A nonpublic school approved under COMAR 13A.09.09 (private pay) must require at a minimum the following credits for secondary school graduation: four credits in English-language arts; two credits in social studies to include at least one credit in U.S. history; six credits in science and mathematics (at least two credits in each); and nine additional credits in accordance with the school's written requirements. [COMAR 13A.09.09.09](#).

A school approved under COMAR 13A.09.10 (publicly funded) shall meet the requirements of [COMAR 13A.03.02](#).

Health and Safety Requirements: For initial issuance of a certificate of approval, a nonpublic school must verify that it is in compliance with applicable health, fire safety, and zoning regulations. [COMAR 13A.09.09.11](#) and [COMAR 13A.09.10.07A](#).

An individual who has tuberculosis in a communicable stage may not work in any capacity in a private or parochial school. Certification and tests may be required as regulated by the Department of Health and Mental Hygiene. [Annotated Code of Maryland, Education Article §7-406](#).

County health departments must provide and fund hearing and vision screening for all students in approved nonpublic schools and approved nonpublic special education facilities. [Annotated Code of Maryland, Education Article §7-404](#).

All nonpublic school employees and employers who have frequent contact with, or access to, students enrolled at a school are required to apply for and undergo a criminal background check. The applicants are responsible for fees assessed unless the employer agrees to pay the costs. Family Law Article, Annotated Code of Maryland, Title 5, Part VI and Education Article §2-206.1

Any adult who has reason to believe a child has been subjected to abuse or neglect must notify the appropriate authorities and the head of the school., [COMAR 13A.09.09.04J](#) and [COMAR 13A.09.10.06A](#).

Students who attend a private preschool program or nonpublic school must have the required immunizations for school attendance. Parents or guardians may furnish documentation to establish exemptions on medical or religious grounds. [COMAR 10.06.04.03](#), [10.06.04.04](#), and [10.06.04.05](#).

Private preschool programs and nonpublic schools must provide an immunization report annually, by Nov. 15, on students new to the program or school. [COMAR 10.06.04.09](#).

A nonpublic school that participates in state-funded education programs must adopt a policy prohibiting bullying, harassment, and intimidation that includes specific provisions. [Annotated Code of Maryland, Education Article §7-424.3](#).

Nonpublic schools must establish a policy to permit school employees to administer auto-injectable epinephrine, if available, to a student who is known to be or thought to be in anaphylaxis. The school's policy must include proper training, procedures for use, follow-up emergency procedures, allowance for school personnel to obtain and store the medication, specific parental notification, and an oversight and monitoring policy process. [Annotated Code of Maryland, Education Article §7-426.3](#).

Teacher Certification: Teachers who provide instruction in English, language arts, mathematics, science, social studies, and courses for which secondary school credit is granted at nonpublic schools approved under COMAR 13A.09.09 (private pay) must have a bachelor's degree, 120 semester hour equivalence, or a bachelor's degree equivalent as reviewed by an independent agency given authorization to evaluate foreign credentials.

Teachers at nonpublic schools approved under COMAR 13A.09.10 (publicly funded) shall hold certificates provided for in COMAR 13A.12.01 and COMAR 13A.12.02. COMAR 13A.09.10.18C (2). [COMAR 13A.09.09.06](#).

Testing: According to the US Department of Education, "Schools that are regulated by COMAR 13A.09.10 and identified as publicly funded schools must meet all state testing requirements.

Schools that are regulated by COMAR 13A.09.09 and identified as private schools are not required to meet state testing requirements." ([Maryland State Regulations](#))

Transportation: School buses used to transport students to nonpublic schools must be equipped with seat back crash pads that meet the standards established by the Maryland Motor Vehicle Administration. [Md. Transportation Code Ann. §22-417](#).

School buses, owned by private schools that are exempt from federal income tax under §501(c)(3) of the Internal Revenue Code, are not subject to excise taxes upon issuance of a certificate of title. [Md. Transportation Code Ann. §13-810](#).

Recordkeeping and Reports: Approved nonpublic schools must maintain a cumulative record of each student enrolled including the following: approved nonpublic school name, school address and telephone number, student's first, middle, and last names; student's birth date; student's home address; month, day and year student entered; grade upon enrollment; month, day and year student withdrew; student's performance information in each curricular area; code for the meaning of performance information; and number of days in attendance each school year. [COMAR 13A.09.09.08](#) and [COMAR 13A.09.10.10A](#).

Each school annually certifies its compliance with the approval regulations by completing and submitting an annual report form provided by the Maryland Department of Education. [COMAR 13A.09.09.04C](#) and [COMAR 13A.09.10.04B](#).

Approved nonpublic high schools must be prepared to present a transcript of the secondary school record of each student for each year enrolled that contains specified components: school's name, address, and telephone number; student's first, middle, and last names; student's date of birth; student's home address; credits and grades earned in each subject area; code for the meaning of the grading system; transfer credits accepted by the secondary school; month, day, and year the student initially entered; month, day, and year the student withdrew or graduated; and number of days of attendance each school year. [COMAR 13A.09.09.09D](#), and [COMAR 13A.09.10.16C](#).

If a private school ends operations in Maryland, the institution must file with the state's superintendent of schools the original or a legible copy of all secondary school transcripts for each student who has been enrolled in grades 9 through 12 of the school. The records will become a permanent file maintained by the state's superintendent of schools' office to provide an academic record as required by postsecondary educational institutions for admission. (Justia: [Annotated Code of Maryland, Education Article §2-304](#))

The state board of education requires each private school to report annually, on or before Aug, 31, the school's enrollment and courses of study on forms provided by the Board. [Annotated Code of Maryland, Education Article §2-205\(n\)](#). (pg. 4)

Approved nonpublic schools are required to distribute a written statement of their student-teacher ratios to parents annually. [COMAR 13A.09.09.07D](#).

Reimbursement for Performing State and Local Functions: There is no state policy at this time pertaining to reimbursement for performing state and local functions in private schools. ([Maryland State Regulations](#))

Massachusetts

Private schools must receive approval by the local education agency. One of the standards of approval is that the private school must provide comparable education time to public schools. No official statute governs teacher certification requirements.

U.S. Department of Education (DoE) – Massachusetts State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/massachusetts.html> (updated November 2016)

Private School Regulations

Registration: No known requirements (Massachusetts State Regulations)

State Accreditation: No known requirements ([Massachusetts State Regulations](#))

State Approval: Mandatory. According to the US Department of Education, “Attendance at a private school satisfies the compulsory attendance requirement if the school is approved by the school committee. Massachusetts General Laws (*Mass. Gen. Laws*) chapter (c.) 76, §1. (The “school committee” in Massachusetts is the local educational agency).

School committees will approve a private school when satisfied that its instruction equals the public schools in the same town in thoroughness and efficiency and that private students are making the same progress as public school students. A school committee may not withhold approval based on the school’s religious teaching. *Mass. Gen. Laws c.76 §1.*” ([Massachusetts State Regulations](#))

State Licensing: No known requirements ([Massachusetts State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to Massachusetts law, every child between the minimum and maximum ages established for school attendance by the board of education must attend a “public day school” in the town the student resides, or some other day school approved by the school committee, during the number of days required by the board of education in each school year, unless the child attends school in another town, or attends an experimental school project established under an experimental school plan. School committees have the power to require private schools to provide an education “equal in thoroughness and efficiency” to local public schools but cannot withhold authorization due to the religious nature of the school. ([Mass. Gen. Laws \(c.\) 76, §1](#))

Length of School Year and Day: According to the US Department of Education, “Massachusetts’ law does not specify a required length of school year for private schools. However, a memorandum put out by the Massachusetts Department of Elementary and Secondary Education (Department) suggests a school committee include in the criteria for approval adequate student learning time. Student learning time includes the number of school days, and hours in a school day.” ([Massachusetts State Regulations](#)).

Curriculum: According to the US Department of Education, “There is no mandate regarding what courses private schools shall teach. The Department suggests that the ‘thoroughness and efficiency’

criteria can be interpreted to include approval based on the private school's program of studies and curriculum. (Advisory on Approval of Massachusetts Private Schools Pursuant to [Mass. Gen. Laws \(c.\) 76, §1.](#)) ([Massachusetts State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “The principal or chief administrator of a private school must obtain at least every three years all available criminal offender record information from the department of criminal justice information services for any current or prospective employee or volunteer at the school "who may have direct and unmonitored contact with children, including any individual who regularly provides school related transportation to children." The principal or chief administrator of a private school must also obtain a state and national fingerprint-based check for all current and prospective school employees "who may have direct and unmonitored contract with children." Whether to require fingerprint-based check for volunteers is left to the discretion of each school. Mass. Gen. Laws c. 71, §38R.

The fingerprint-based background check requirements for public and private schools are spelled out in the regulations of the Department at 603 Code of Massachusetts Regulations (CMR) 51.00.

Private school teachers who have reasonable cause to believe a child under 18 is suffering physical or emotional injury resulting from abuse or neglect are under an obligation to immediately report the condition either to the Massachusetts Department of Children and Families or to the school administrator, who is then responsible for notifying the Department of Children and Families. Mass. Gen. Laws c. 119; §§21 and 51A.

Each institution of secondary education must file at least annually a report with the board of education certifying that the school has informed its students of the hazing prohibition and adopted and disseminated a disciplinary policy on the organizers and participants of hazing. Mass. Gen. Laws c. 269, §19.

Fires or explosions resulting in a loss of life must be reported in writing within 48 hours, excluding Sundays and holidays, to the fire marshal. Reports must be on forms furnished by the Massachusetts Department of Fire Services, and contain a statement of all known facts relating to the cause and origin of the fire or explosion, the extent of the damage, the insurance upon the damaged property, and other information as required. The fire marshal shall keep or cause to be kept a record of all fires or explosions occurring in the state, and ensure that the results of such investigations and records are open to public inspection. Mass. Gen. Laws c. 148, §2.

Private schools are subject to the Massachusetts Pesticide Control Act. Mass. Gen. Laws c. 132B; §§1 and 2.” ([Massachusetts State Regulations](#))

Teacher Certification: No state policy currently exists. ([Massachusetts State Regulations](#))

Testing: According to the US Department of Education, “The Department suggests that the "thoroughness and efficiency" criteria can be interpreted to include approval based on the private school's student performance assessment procedures. Advisory on Approval of Massachusetts Private Schools Pursuant to Mass. Gen. Laws c. 76, § 1.” ([Massachusetts State Regulations](#))

Transportation: According to the US Department of Education, “Students who attend approved private schools are entitled to the same rights and privileges to transportation to and from school as are provided by law for public school students, within specified limits. Mass. Gen. Laws c. 76, §1.

Street or elevated railway companies must provide special rates for public and private school students during the days or evenings when school is in session not to exceed one-half of the regular fare. Mass. Gen. Laws c. 161, §108.” ([Massachusetts State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “The supervisory officers of all private schools must report the name, age and residence of any child enrolled in the school to the superintendent of schools in the town where the children reside within 30 days of enrollment. If a child withdraws from the school, the officers must notify the superintendent within 10 days. Mass. Gen. Laws c. 72, §2.

The local superintendent of schools files an annual report with the commissioner of education on or before May 1st on the number of pupils enrolled in nonpublic schools within the district. The information is collected during the months of January and February. Mass. Gen. Laws c. 72, §2A.

Private school administrators and teachers are required to provide information or reports requested by any justice relating to the attendance, conduct, and standing of any pupil enrolled, if the pupil is awaiting court examination or trial or is at that time under the supervision of the court. Mass. Gen. Laws c. 119, §69.

Persons operating an education institution have an obligation to provide a student with his or her written transcript upon the student's request. The first copy must be provided free. Schools may charge a fee for duplicates not exceeding \$1 for each page, but not exceeding \$5 for an entire transcript. Anyone denied a transcript may petition the courts for relief. Mass. Gen. Laws c. 71, §§34A and 34B.

If a private school closes, the owner must transfer all current and former students' transcripts to the Department or to the school to which a current student has transferred. Mass. Gen. Laws c. 71, §34G.” ([Massachusetts State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([Massachusetts State Regulations](#))

Virtual/Online Schools

Massachusetts Department of Elementary and Secondary Education:

<https://www.doe.mass.edu/search.html?q=virtual%20private%20schools&sort=relevancy&quickview=8bc798c9-5089-4d22-b232-327abc07fb1d.0.3240ce25>

Approval: “If the school will be based in a Massachusetts city or town, it must seek and receive approval from the school committee of that city or town, regardless of whether any students from that city or town will attend the school.” ([Massachusetts Department of Elementary and Secondary Education](#))

Accreditation: “Massachusetts does not have a process for accrediting private virtual schools, nor does the Department of Elementary and Secondary Education (DESE) collect or report data on the quality or performance of private virtual schools. ([Massachusetts Department of Elementary and Secondary Education](#))”

Reporting: “If the school enrolls Massachusetts students, the school must report their names, ages, and residences to the superintendent(s) of the cities and towns in which they reside within 30 days of the date of enrollment or registration. Whenever a student withdraws from a private virtual school, it must notify the superintendent within 10 days. Private virtual schools must also submit The Individual Private School Report (enrollment as of October 1) to the Department, with a copy to superintendent where the student

resides, or use the Department’s online tool.” ([Massachusetts Department of Elementary and Secondary Education](#))

Requirements for Private Virtual School not based in Massachusetts: “If the private virtual school is not based in Massachusetts, the law would treat the student as homeschooled. The student's parent or guardian would need to ask their district of residence to review and approve the student's educational program.” ([Massachusetts Department of Elementary and Secondary Education](#))

Micro Schools/Learning Pods

Massachusetts Gov. Charles Baker issued a memo on pods in August 2020 with both restrictions for some and waivers for other pod or pod-like operations.

In it, “remote learning enrichment programs’ are defined as a ‘program or facility operated on a regular or drop-in basis which provides supervised group care ‘for children aged 14 years or below.’”

It also states that, “A facility can only provide this option during the hours of a school day. These programs must still adhere to the “minimum operating standards” of child care centers such as background checks, facilities checks, and health and safety standards—reasonable precautions for center-based care.”

The memo also defines “remote learning parent cooperatives,” which are “an organized plan among a group of families in which children who are enrolled in school are supervised by one of their parents or guardians during the hours of a school day while attending remote learning instruction.” These learning pods using a district e-learning platform can operate without a license, but the memo outlines limitations, including:

- The pod cannot have more than five families;
- A parent of one of the children must be present at all times even if a teacher or tutor is hired for the pod; and
- Parents cannot pay each other for the use of a home, materials, food or any other expense.

Individuals participating in any “arrangement” that does not meet these criteria will be required to obtain a license. ([Massachusetts Covid-19 Memo](#))

Michigan

Private schools in Michigan have two accreditation options, but are not required to participate in either. State approval is required, and the state superintendent of public instruction is authorized to investigate private schools in the state. Michigan has school calendar recommendations, but no requirements. Teacher certification is optional.

U.S. Department of Education (DoE) – Michigan State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/michigan.html> (updated December 2016)

Michigan Department of Education (DoE) Nonpublic and Home School Information:

<https://www.michigan.gov/mde/-/media/Project/Websites/mde/Flexible-Learning-Options/homeschool/22-23-NPS-HS-Info.pdf?rev=3e29da9e592440e397a516c2bec5d120&hash=BB49FDAF28C02B841A65CE39F2B8394F#:~:text=Home-schooled%20students%20may%20enroll,driver's%20education%2C%20and%20computer%20science.>

Private School Regulations

Registration: No requirements ([Michigan State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “Nonpublic schools (a private, denominational, or parochial school) may participate in the following accreditation programs: Michigan Association of Nonpublic Schools or North Central Association. Nonpublic and Home School Information, 2022-23.

In order for a boarding school to meet licensing requirements, it must be fully accredited by a national association that is recognized by the state department of education. Michigan Administrative Code (Mich. Admin. Code) R 340.484.

A boarding school that is not fully accredited by a national association recognized by the Michigan Department of Education (MDE) must meet the requirements found in Mich. Admin. Code R 340.484 (b) (1), (2), (3), (4), and (5).” ([Michigan State Regulations](#))

State Approval: Required. According to the US Department of Education “Nonpublic schools satisfying the compulsory school attendance statute must be approved by the state. MCL §380.1561(3)(a).

The superintendent of public instruction, or his or her staff members, or authorized agents are authorized to investigate and examine any school operating under the Private, Denominational, and Parochial Schools Act 302 of 1921. MCL §388.555.” ([Michigan State Regulations](#))

State Licensing: Only required for boarding schools. According to the US Department of Education, “The state board of education licenses and regulates boarding schools. MCL §380.1335

Licensing requirements include accreditation, health agency requirements, and compliance with the civil rights provisions of the Michigan Constitution of 1963 as expressed in article 1, section 2, and article 5, section 29, and with Michigan's anti-discrimination laws. Mich. Admin. Code R 340.481 – 340.489.” ([Michigan State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the Michigan Department of Education, “The Michigan law governing compulsory attendance requires a parent, legal guardian, or other person having control or charge of a child ages 6 to 16 to send the child to school during the entire school year [MCL 380.1561]. In 2010, the law was amended to increase the compulsory school attendance age from 16 to 18 for a child who turned 11 after December 1, 2009, or who entered grade 6 after 2009. However, the compulsory school attendance age would remain at 16 for children whose parents provided school officials with a written notice that their children had their permission to stop attending school. A child is not required to attend a public school in the following cases: (3) (a) The child is attending regularly and is being taught in a state-approved nonpublic school, which teaches subjects comparable to those taught in the public schools to children of corresponding age and grade, as determined by the course of study for the public schools of the district within which the nonpublic school is located. (3) (f) The child is being educated at the child’s home by his or her parent or legal guardian in an organized educational program in the subject areas of reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar. (4) For a child being educated at the child’s home by his or her parent or legal guardian, exemption from the requirement to attend public school may exist under either subsection (3)(a) or (3)(f), or both.” ([Nonpublic and Homeschool Information](#) – page 4)

Length of School Year and Day: According to the US Department of Education, “The Michigan Supreme Court ruled that the nonpublic school act (MCL §§388.551 et seq.; Michigan Statutes Annotated 15.1921 et seq.) did not require a nonpublic school be in session for the number of days required for public schools. *Clonlara, Inc. v State Board of Education* (442 Mich. 252).

MDE recommends that a nonpublic school develop a school year calendar comparable to the public school district where the nonpublic school is located. *Nonpublic and Home School Information, 2016-17.*” ([Michigan State Regulations](#))

Curriculum: According to the US Department of Education, “Attendance at a state approved nonpublic school satisfies the compulsory attendance statute if the school teaches subjects comparable to those taught in the local public schools to children of corresponding ages and grades. MCL §380.1561(3)(a).

Nonpublic schools must provide regular instruction in the constitutions of the United States and Michigan, "and the history and present form of government of the United States, Michigan, and its political subdivisions." The successful completion of a one-semester course in civics is required prior to graduation. MCL §380.1166.

Nonpublic schools must provide courses of mathematics, reading, English, science, and social studies, in every grade. ([Nonpublic and Home School Information.](#))

English must be the basic language of instruction in any nonpublic school. This mandate does not prohibit religious instruction in a foreign language, classes to become conversant in a foreign language, or bilingual instruction to assist limited English-speaking students. MCL §380.1151.

Nonpublic schools are prohibited from utilizing textbooks and learning materials that promote or foster physical or mental stereotypes. MCL §§37.1401 and 37.1402.

Health and Safety Requirements: According to the US Department of Education, “Children enrolling in school or in grade seven for the first time must present a certificate of immunization, a statement of

exemption based on a physician's recommendation or a religious conviction. A school administrator must not admit a student unless he or she has received a minimum of one dose of immunizing agent against each disease specified or is exempt. MCL §§ 333.9208, 333.9215 and 380.1177.

Before Nov. 1 of each year, the school administrator must submit to the local and state health departments the immunization status of new kindergarten and first-grade students. By Feb. 1, the administrator must update the list to show subsequent immunizations. MCL §§333.9209 and 380.1177.

If the immunization level of a nonpublic school grade falls below the level necessary to guard against the spread of disease, the school may make immunization requirements a condition for admission. MCL §333.9212.

Private school students entering kindergarten must submit evidence of a preschool vision screening test prior to enrollment unless the parents/guardians submit a statement that the test is contrary to their religious convictions. MCL §380.1177(2).

Regular and contract employees hired or assigned by nonpublic schools must have criminal history checks conducted by the Michigan State Police and the Federal Bureau of Investigation. If an administrator of a nonpublic school learns that a teacher holding a teaching certificate has been convicted of crime defined in MCL §380.1535a (1) and (2), the administrator must notify the superintendent of public instruction within 15 days. MCL §§380.1230; 380.1230a; 380.1535a; and 380.1539b.

An individual who works full-time or part-time or an individual who regularly or continuously works under contract, who is employed by a nonpublic school as of Dec. 1, 2005, must have criminal history checks conducted by the Michigan State Police and the Federal Bureau of Investigations. MCL §380.1230g.

The nonpublic school must notify the superintendent of public instruction when a certified teacher, school administrator, school counselor, etc. has been convicted of any felony or certain misdemeanors within 15 days of learning of the conviction. MCL §§380.1535a and 380.1539b.

Nonpublic schools must request unprofessional conduct checks for all new employees. A former or current employer must disclose to a prospective school employer any unprofessional conduct by the applicant. A nonpublic school is prohibited from hiring an applicant who refuses to sign a document requesting this information. MCL §380.1230b.

Nonpublic schools must comply with federal standards requiring implementation of operations and maintenance plans for educational facilities containing asbestos or asbestos-containing materials. Asbestos in Educational Facilities Act, 1993 PA 51. MCL §§388.861 to 388.864.

All school construction requires inspection and must meet both the construction standards under the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, regarding the requirements to secure permits, inspections, and final approval; and the fire prevention code, 1941 PA 207. MCL §§388.851b and 388.853.

The superintendent of public instruction, or his agent, has the authority to investigate a nonpublic school at any time regarding the school's sanitary condition, records of enrollment, courses of study, and teacher qualifications. A nonpublic school must admit the superintendent or his agents to the school. A nonpublic school's refusal is sufficient cause to suspend the operation of the school. MCL §388.555.” ([Michigan State Regulations](#))

Teacher Certification: Teacher certification is optional. According to the US Department of Education “A teacher may qualify to work in a nonpublic school by obtaining a Michigan teaching certificate (MCL §388.553); obtaining a teaching permit for employment in a nonpublic school under Mich. Admin. Code R 390.1142 (full-year permit), R 390.1143 (substitute permit), and R 390.1145 (emergency permit); or obtaining a bachelor's degree (People v. DeJonge (442 Mich. 266)).

If a nonpublic school claims an objection to teacher certification based upon a sincerely held religious belief, the minimum education requirements for teachers are waived. People v. DeJonge (442 Mich. 266).” ([Michigan State Regulations](#))

Testing: According to the US Department of Education, “Nonpublic schools may participate in state assessments if they contact the Michigan Department of Education and register on time. If a student attends a nonpublic school that is not electing to participate in the state assessments, that student may contact the resident school district and take the test administered by that school district. The resident school district must agree to test the student and the student must attend the resident school part-time. MCL §§380.1279g and 388.1704b.” ([Michigan State Regulations](#))

Transportation: According to the US Department of Education, “Local school districts that provide transportation to resident pupils must provide free transportation to nonpublic school students with some limitations. MCL §§380.1321 and 1322.

Nonpublic schools are reimbursed, on an equal basis with public schools, for school bus safety education costs incurred for the benefit of school bus drivers. MCL §257.1851.” ([Michigan State Regulations](#))

School buses or motor vehicles with seating capacity of 12 or more and used by nonpublic schools are subject to annual inspections by the department of state police. MCL §257.715a.

Recordkeeping and Reports: According to the US Department of Education, “The Michigan Department of Education annually requests information from nonpublic schools on the number of students in each grade, teacher qualifications, courses of study offered, and assurance that each nonpublic school complies with the criminal history check requirements that are compiled to create the Nonpublic School Membership Report. MCL §388.555; Sheridan Road Baptist Church v Department of Education, 426 Mich 462, 472, n 5; 396 NW2d 373 (Michigan Supreme Court, 1986) and Clonlara, Inc v State Board of Education, 442 Mich 230, 242, 501 NW2d 88 (Michigan Supreme Court, 1993).

A nonpublic school that has received a copy of a personal protection order for a student must not release information concerning a minor to a parent who is prohibited by the personal protection order from having access to that information. MCL §380.1137a.” ([Michigan State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([Michigan State Regulations](#))

Minnesota

Private schools in Minnesota face no registration, accreditation, licensing, or school calendar requirements, but Minnesota does have teacher certification requirements.

Minnesota Office of the Revisor of Statutes: <https://www.revisor.mn.gov/statutes/cite/120A>

Minnesota Department of Education (DoE): <https://education.mn.gov/mde/fam/nphs/>

Guide to Minnesota Law for Non-Public Schools (NPS) - 2015: <http://mnsaa.org/wp-content/uploads/2011/05/15.0901Guide-to-Minnesota-Law-for-Nonpublic-Schools.pdf>

U.S. Department of Education (DoE) – Minnesota State Regulations:
<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/minnesota.html> (updated November 2012)

Private School Regulations

Registration: No known requirements ([Minnesota Law for NPS](#) and [Minnesota State Regulations](#))

State Accreditation: Voluntary. ([Minnesota DoE](#))

State Approval: No known requirements ([Minnesota Law for NPS](#) and [Minnesota State Regulations](#))

State Licensing: No known requirements ([Minnesota Law for NPS](#) and [Minnesota State Regulations](#))

Non-Profit or For-Profit: Either. ([Minnesota DoE](#) - See FAQs)

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Any person who fails or refuses to provide for instruction of a child of whom the person has legal custody, and who is required by section [120A.22, subdivision 5](#), to receive instruction, when notified so to do by a truant officer or other official, or any person who induces or attempts to induce any child unlawfully to be absent from school, or who knowingly harbors or employs, while school is in session, any child unlawfully absent from school, shall be guilty of a petty misdemeanor. Any fines collected shall be paid into the county treasury for the benefit of the school district in which the offense is committed. ([120A.34](#))

Length of School Year and Day: No requirements ([Minnesota Law for NPS](#) and [Minnesota State Regulations](#))

Curriculum: Minnesota's Compulsory Instruction law, Minnesota Statutes, [section 120A.22](#), subdivision 9, requires that instruction be provided in at least the following subject areas: 1. basic communication skills including reading and writing, literature, and fine arts; 2. mathematics and science; 3. social studies including history, geography, economics, government, and citizenship; and 4. health and physical education. Instruction, textbooks and materials must be in the English language. Another language may be used pursuant to Minnesota Statutes, sections 124D.59 to 124D.61. ([Minnesota DoE](#) - See FAQs)

Health and Safety Requirements: Public or nonpublic must be immunized or submit notarized conscientious objector statements to the school. More information about immunization requirements is available from the Minnesota Department of Health. All Minnesota K-12 schools are required to provide five fire drills, five lockdown drills, and one tornado drill each school year. ([Minn. Stat. §§ 299F.30, 121A.037](#))

Teacher Certification: Required, see subdivision 10 of Minnesota Statutes [section 120A.22](#).

Testing: Optional. According to Minnesota Statutes, [section 123B.42](#), Minnesota's nonpublic schools may administer the Minnesota Comprehensive Assessments.

Transportation: School districts that receive state aid for transportation must provide equal transportation within the district for all school children to any school when transportation is necessary because of distance or traffic conditions. Nonpublic school students must act in accordance with student bus conduct and discipline policies. Transportation is also available for nonpublic school students when they receive public support services at public schools or neutral sites. ([Minn. Stat. § 123B.86](#))

Recordkeeping and Reports: By October 1, each nonpublic school must report the name, birthdate and address of each child ages 7- 17 receiving instruction. If the school is not accredited by a state-recognized accrediting agency, it must also come to an agreement on an annual nationally normed achievement test and ensure that instructors meet minimal requirements in Minnesota Statutes, [section 120A.24](#).

Reimbursement for Performing State and Local Functions: The [Minnesota Department of Education](#) provides forms and reports related to funding opportunities and rates for nonpublic schools.

The first year an accredited private school fails to comply with state requirements for accreditation, it will be assigned an "advised" status. If the private school does not take corrective action to resolve the deficiencies within the following year, it will be assigned a "probation" status and be required to develop a corrective action plan. If the school with an assigned "probation" status fails to meet the approved corrective action plan's goals and timelines, the school will receive a "withdrawn" status. Nonpublic Schools Accountability Standards, 2.3, 2004.” ([Mississippi State Regulations](#))

State Licensing: No requirements ([Mississippi State Regulations](#))

Non-Profit or For-Profit: According to the US Department of Education, “Nonprofit private schools are exempt from state sales tax on the income from transporting grade school students under contract.” ([Mississippi State Regulations](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: The Office of Compulsory School Attendance Enforcement is responsible for ensuring that all Mississippi students are afforded the opportunity to attend school and to enforce the Mississippi Compulsory School Attendance Law [§37-13-91](#) of the Mississippi Code 1972 Annotated. The law governs compulsory school attendance. It requires a parent, legal guardian or custodian who has legal control or charge of a child age six (6) to seventeen (17) enroll him or her in an education program (i.e. public, private or home school). Student enrollment must occur except under the limited circumstances specified in subsection three (3) of [§37-13-91](#) which includes, but are not limited to, sending the child to a state approved, nonpublic, or educating the child at home in an organized educational program. July 1, 2003, the law was amended to include the following: a child, five (5) years of age, who enrolls in public kindergarten, will have to abide by the same guidelines as outlined in [§37-13-91](#).

Length of School Year and Day: The academic year provides a minimum of 180 teaching days in which both teachers and pupils are in regular attendance for scheduled classroom instruction. The number of hours of actual teaching which shall constitute a school day shall be determined and fixed by the board of trustees of the school district at not less than five and one-half (5-½) hours. ([Miss. Code Ann. § 37-13-63](#) and [Miss. Code Ann. § 37-13-67](#))

Curriculum: Each student receiving a standard high school diploma has earned the minimum number of Carnegie units as specified in Appendix A of the current edition of the Mississippi Public School Accountability Standards. See Appendix A., Miss. Admin. Code 7- 3: 28.2 and 28.3, State Board Policy Chapter 28, Rules 28.2 and 28.3.

Health and Safety Requirements: The school complies with state law and State Board of Education policy on enrollment requirements. Immunization requirements Miss. Code Ann. §§ 37-7-301(i), 37-15-1, and 41-23-37 and Age of entry requirements Miss. Code Ann. § 37-15-9. The school district provides clean/sanitary facilities in a safe and secure environment. All classrooms in each school will be air conditioned. Miss. Code Ann. §§ 37-7-301(c) (d) and (j), 37-11-5, 37-11-49; and 45-11-101.

Teacher Certification: According to the [Mississippi Nonpublic School Accountability Standards](#), “All professional positions are required to be filled by licensed staff that are properly endorsed as required by state law.” Miss. Code Ann. § 37-9-7 7, Miss. Admin. Code 7-3: 80.1 and 80.2. State Board Policy Chapter 80, Rules 80.1 and 80.2. Each school is administered by a full-time, appropriately licensed, administrator (principal, superintendent, director, or headmaster) who is located at the school site and operates the school in accordance with established policies and procedures. Miss. Code Ann. § 37-9-7,37-

9- 15, and 37-151-5(g). Administrators may have other roles such as lead teacher or coordinator of programs and limited to no more than one (1) program.

Testing: Any transfer student from a school or program not accredited regionally or by a state board of education (or its designee[s]) is given either a standardized achievement test(s) or teacher-made special subject test(s) to determine the appropriate classification of the student within thirty (30) days after filing for transfer. Notice of the administering of such test(s) shall be given to the applicant not less than five (5) days prior to the date of the administration of such test. Miss. Code Ann. § 37-15-33, Miss. Admin. Code 7-3: 36.2, 36.4, State Board Policy Chapter 36, Rules 36.2-36.4.

Transportation: The school complies with the applicable policies of the State Board of Education and state and federal laws in the operation of its transportation program. The school implements Nathan's Law as a priority for promoting school bus safety. Miss. Code Ann. §§ 37-41-53, 63-3-615, 63-1-73, 97-3-7, and 63-1-33, Miss. Admin. Code 7-3: 81.3, 81.4, 81.6, 81.7, 81.9, State Board Policy Chapter 81, Rules 81.3, 81.4, 81.6, 81.7, and 81.9.

Recordkeeping and Reports: Permanent records and cumulative folders for individual students contain all required data and are collected, maintained, and disseminated in compliance with state law, the Family Educational Rights and Privacy Act of 1974, and the Confidentiality Section of the Individuals with Disabilities Act, 1997 Amendments. (See Appendix E and the current edition of the Mississippi Cumulative Folders and Permanent Records Manual of Directions.) Miss. Code Ann. § 37-15-1 through 3; 37-15-6; 37-15-10. The school engages in annual strategic planning, such as the current School Improvement Plan, to review the educational status of the school and to address specific actions to improve the quality of its educational programs. Miss. Code Ann. § 37-3-49(2)(e). The school implements procedures for monitoring and reporting student absences as specified in the Mississippi Compulsory Attendance Law. Miss. Code Ann. § 37-13-91, Miss. Admin. Code 7-3:30.1 and 30.2, State Board Policy Chapter 30, Rules 30.1 and 30.2. The schools of the Choctaw Tribal School System will monitor, and report student absences as specified by the Bureau of Indian Education and in the Choctaw Tribal Code. Miss. Code Ann. § 3-3-36. This standard does not apply to correctional facilities.

Reimbursement for Performing State and Local Functions: No publicly available information.

Missouri

Missouri has no registration, accreditation, approval, or licensing requirements for private schools to operate. It also has no requirements about the length of the school year, nor does it have teacher certification requirements.

U.S. Department of Education (DoE) – Missouri State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/missouri.html> (updated April 2013)

Missouri Department of Elementary and Secondary Education – Compulsory Attendance:

<https://dese.mo.gov/governmental-affairs/freqaskques/Attendance>

Missouri Department of Elementary and Secondary Education (DoESE) - Nonpublic Schools:

<https://dese.mo.gov/quality-schools/grants-resources/nonpublic>

Private School Regulations

Registration: Limited to nonpublic schools that participate in federal and state grant programs. ([Missouri State Regulations](#))

State Accreditation: No known requirements. ([Missouri State Regulations](#))

State Approval: No known requirements. ([Missouri State Regulations](#))

State Licensing: No known requirements. ([Missouri State Regulations](#))

Non-Profit or For-Profit: Must be non-profit. ([Missouri DoESE Nonpublic](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Section [167.031](#), RSMo, states that “any parent, guardian or other person having custody or control of a child between the ages of seven (7) and the compulsory attendance age for the district, must ensure that the child is enrolled in and regularly attends public, private, parochial, home school or a combination of schools for the full term of the school year.”

The term "compulsory attendance age for the district" shall mean seventeen (17) years of age or having successfully completed sixteen (16) credits towards high school graduation in all other cases.

Children between the ages of five (5) and seven (7) are not required to be enrolled in school. However, if they are enrolled in a public school their parent, guardian or custodian must ensure that they regularly attend. ([Missouri State Regulations](#))

Length of School Year and Day: According to the US Department of Education, “Students in Missouri have the opportunity to enroll at public, private, parochial, parish, and home schools or a combination of the above. State law requires compulsory school attendance between the ages of seven years and the compulsory attendance age for a given school district. Mo. Rev. Stat. §167.031.

Missouri state law does not specify a required length of school year or days for private schools. For comparison, the public school minimum school day consists of three hours for schools with a five-day

school week or four hours for schools with a four-day school week in which the students are under the guidance and direction of teachers. The first day of July through the thirtieth day of June of the following year defines the school year period. Mo. Rev. Stat. §160.041.1.” ([Missouri State Regulations](#))

Curriculum: According to the US Department of Education, “Private schools, except privately operated trade schools, must provide courses of instruction in the constitutions of the United States and of Missouri and in American history and institutions. Instruction must begin no later than the seventh grade and continue in high school to the extent determined by the commissioner of education. No pupil can receive a certificate of graduation from any private school, except private trade schools, without satisfactorily passing an examination on these subjects. The commissioner will prescribe a list of suitable texts. These provisions do not apply to foreign exchange students. Mo. Rev. Stat. §170.011.

There is no specific state policy regarding other course content at this time for private schools.

The chief school officer of a nonpublic school has a duty to provide students information on available financial assistance for postsecondary education. The commissioner of higher education will provide nonpublic schools and their pupils with relevant information. Mo. Rev. Stat. §167.278.” ([Missouri State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “Students attending private, parochial, or parish schools must comply with the Department of Health regulations governing the immunizations against poliomyelitis, rubella, rubeola, mumps, diphtheria, tetanus, and pertussis. A student may not attend school unless he or she has been immunized, presents evidence of having begun the process, or is exempt. Mo. Rev. Stat. §167.181.

Students are exempt from immunization if a parent or guardian presents to the school administrator a written objection based on religious beliefs or a written statement from a licensed physician that the immunizations are medically contraindicated. Mo. Rev. Stat. §167.181.

Private elementary and secondary schools may obtain information from Missouri's central registry of reports on child abuse and neglect pertaining to employees and volunteers or prospective employees and volunteers who provide services or care for children. Mo. Rev. Stat. §210.150(8).

Students, teachers, and visitors are required to wear industrial quality eye protective devices for courses involving exposure to certain hazardous materials. Mo. Rev. Stat. §170.005.

Private and parochial schools were required to examine their structures for friable asbestos and report the results to the Department of Health by March 1, 1987. Schools that have not completed their removal plan must reevaluate the material biennially and file a report with the department. Schools that identified nonfriable asbestos must reevaluate the material every three years, file a report with the department, and make their findings available to its employees and the public. Mo. Rev. Stat. §643.263.

Distribution of a controlled substance on or within 1,000 feet of a private elementary or secondary school in Missouri is a felony. Mo. Rev. Stat. §195.214.

‘School-Based Nonviolent Conflict Resolution’ materials developed by the Department of Health and State Department of Elementary and Secondary Education can be made available to all schools, including private and parochial schools, and the general public. Mo. Rev. Stat. §170.046.” ([Missouri State Regulations](#))

Teacher Certification: According to the US Department of Education, “Teacher certification is not required by Missouri state statute for teachers in nonpublic schools. Nonpublic school teachers that hold

state certification are subject to discipline by the State Board of Education for misconduct under Mo. Rev. Stat. §168.071.

The State Board of Education may refuse to issue or revoke a nonpublic school teacher's certificate upon conviction of a felony or crime involving moral turpitude. Mo. Rev. Stat. §168.071(2). ([Missouri State Regulations](#))

Testing: According to the US Department of Education, “Missouri state law does not require general testing of nonpublic school students. Any student (public, nonpublic, or homeschooled) enrolled in a Missouri Virtual Instructional Program (MoVIP) course must take part in the Missouri Assessment Program through MoVIP. Mo. Rev. Stat. §161.670.” ([Missouri State Regulations](#))

Transportation: Transportation is not provided for students attending private schools. The provision of transportation to parochial school students by public school bus that also transports public school children violates the Missouri Constitution. *McVey v. Hawkins*, 258 S.W.2d 927 (1953). ([Missouri State Regulations](#))

Recordkeeping and Reports: Each school superintendent of a private, parochial, or parish school must prepare a record showing the immunization status of every child enrolled. The superintendent must report the name of any parent or guardian who neglects or refuses to permit a nonexempt child to be immunized. Mo. Rev. Stat. §167.181(4).

Student immunization records may be disclosed without a parent's or guardian's written authorization to individuals with a need to know, as specified by statute, e.g. employees of public agencies and departments. Anyone releasing the information for any other purpose would be liable for damages. Mo. Rev. Stat. §167.183. ([Missouri State Regulations](#))

Reimbursement for Performing State and Local Functions: There is no state policy at this time. ([Missouri State Regulations](#))

Virtual/Online Schools

According to the Missouri Revisor of Statutes:

“1. Notwithstanding any other law, prior to July 1, 2007, the state board of education shall establish the "Missouri Course Access and Virtual School Program" to serve school-age students residing in the state. The Missouri course access and virtual school program shall offer instruction in a virtual setting using technology, intranet, and/or internet methods of communication. Any student under the age of twenty-one in grades kindergarten through twelve who resides in this state shall be eligible to enroll in the Missouri course access and virtual school program pursuant to subsection 3 of this section.

2. For purposes of calculation and distribution of state school aid, students enrolled in the Missouri course access and virtual school program shall be included in the student enrollment of the school district in which the student physically is enrolled under subsection 3 of this section. The Missouri course access and virtual school program shall report to the district of residence the following information about each student served by the Missouri course access and virtual school program: name, address, eligibility for free or reduced-price lunch, limited English proficiency status, special education needs, and the number of courses in which the student is enrolled. The Missouri course access and virtual school program shall promptly notify the resident district when a student discontinues enrollment. A **"full-time equivalent student"** is a student who successfully has completed the instructional equivalent of six credits per regular term. Each Missouri course access and virtual school program course shall count as one class and

shall generate that portion of a full-time equivalent that a comparable course offered by the school district would generate. In no case shall more than the full-time equivalency of a regular term of attendance for a single student be used to claim state aid. Full-time equivalent student credit completed shall be reported to the department of elementary and secondary education in the manner prescribed by the department. Nothing in this section shall prohibit students from enrolling in additional courses under a separate agreement that includes terms for paying tuition or course fees.” **(Revisor of Missouri)**

Montana

Accreditation is optional in Montana, though the state offers three categories of accreditation options. Montana has minimum instruction hour requirements. Private school teachers do not have to be certified unless they are employed at an accredited school.

U.S. Department of Education (DoE) – Montana State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/montana.html> (updated 2013)

Office of Public Instruction – Private Schools: <https://opi.mt.gov/Leadership/Academic-Success/Federal-Programs/Private-Schools>

Private School Regulations

Registration: No known requirements. ([Montana State Regulations](#))

State Accreditation: Optional. Nonpublic schools may be accredited upon request to the superintendent of public instruction in the same manner as public schools. Mont. Code Ann. §20-7-101.

The three categories of accreditation are: regular accreditation, accreditation with advice, and deficiency accreditation. “Nonaccredited status means that a school on deficiency status fails to meet the requirements of intensive assistance and is out of compliance with the Board of Public Education standards of accreditation.” *Administrative Rules of Montana* 10.55.605, established by the Montana Board of Public Education as authorized by *Mont. Code Ann.* §20-7-101. ([Montana State Regulations](#))

State Approval: No known requirements. ([Montana State Regulations](#))

State Licensing: No known requirements. ([Montana State Regulations](#))

Non-Profit or For-Profit: Tuition for nonprofit private educational institutions is exempt from Montana sales tax and use tax. 1993 Mt. Ch. 544 §31. ([Montana State Regulations](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: From state statute:

(1) Except as provided in subsection (2), any parent, guardian, or other person who is responsible for the care of any child who is 7 years of age or older prior to the first day of school in any school fiscal year shall cause the child to be instructed in the program prescribed by the board of public education pursuant to [20-7-111](#) until the later of the following dates:

- (a) the child's 16th birthday; or
- (b) the date of completion of the work of the 8th grade.

(2) A parent, guardian, or other person shall enroll the child in the school assigned by the trustees of the district within the first week of the school term or when the parent, guardian, or person establishes residence in the district unless the child is:

- (a) enrolled in a school of another district or state under any of the tuition provisions of this title;

- (b) provided with supervised correspondence study or supervised home study under the transportation provisions of this title;
- (c) excused from compulsory school attendance upon a determination by a district judge that attendance is not in the best interest of the child;
- (d) excused by the board of trustees upon a determination that attendance by a child who has attained the age of 16 is not in the best interest of the child and the school; or
- (e) enrolled in a nonpublic or home school that complies with the provisions of [20-5-109](#). For the purposes of this subsection (2)(e), a home school is the instruction by a parent of the parent's child, stepchild, or ward in the parent's residence and a nonpublic school includes a parochial, church, religious, or private school. ([Montana Code 2021 20-5-102](#))

Length of School Year and Day: Attendance at a nonpublic school exempts a student from public education if the nonpublic school provides at least the minimum aggregate hours of pupil instruction in accordance with. Mont. Code Ann. §§20-1-301, 20-1-302 and 20-5-109(2). ([Montana State Regulations](#))

Curriculum: According to the US Department of Education, “Attendance at a nonpublic school exempts a student from public education if the nonpublic school provides "an organized course of study that includes instruction in the subjects required of public schools as a basic instructional program pursuant to 20-7-111. Mont. Code Ann. §20-5-109(4).

Accredited schools must comply with specified class size requirements in accordance with Administrative Rules of Montana 10.55.712, established by the Montana Board of Public Education as authorized by Mont. Code Ann. §20-7-101.

Accredited schools must meet the Content and Performance Standards in the Administrative Rules of Montana 10.54.2501, established by the Montana Board of Public Education as authorized by Mont. Code Ann. §20-7-101,” which states:

"The content and performance standards shall be used by school districts to develop local curriculum and assessment in all the content areas including: communication arts (reading, literature, writing, speaking and listening, and media literacy); arts; health enhancement; library media; mathematics; science; social studies; technology; world languages; workplace competencies; and career and vocational/technical education. The K-12 content standards describe what students shall know, understand and be able to do in these content areas. Progress toward meeting these standards is measured at three points along that continuum: the end of grade 4, the end of grade 8, and upon graduation. Performance standards define the quality of student performance and describe the performance to be demonstrated. Performance level descriptions provide a picture or profile of student achievement at the four performance levels: advanced, proficient, nearing proficiency, and novice." Administrative Rules of Montana 10.54.2501(1).”

Private accredited schools' curricula must be reviewed every five years at the local level in accordance with the Administrative Rules of Montana 10.55.603(4)(b). ([Montana State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “The governing authority of any school may not allow any person to attend unless the person has been immunized (see Code for specific immunizations required) and qualifies for conditional attendance because he has begun the immunization process, or files for an exemption. If a student transfers to another school district, the sending school must forward the original immunization records to the new school district. Mont. Code Ann. §20-5-403.

Students are exempt from immunization requirements if they file a notarized affidavit claiming a religious exemption or a written statement by a physician that immunization is unsafe on medical grounds. The statements must be maintained in the student's immunization records. Mont. Code Ann. §20-5-405.

The Department of Public Health and Human services is responsible for making public health inspections of schoolhouses. Mont. Code Ann. §50-1-203.

Attendance at a nonpublic school exempts a student from public education if the nonpublic school is housed in a building that complies with applicable local health and safety regulations. Mont. Code Ann. §20-5-109(3).

Private school buildings used for housing or instructing students may not be built, enlarged, or remodeled until the plans have been approved by the department of labor and industry or a municipality or county with a building code. Mont. Code Ann. §20-6-622.

Schools must conduct at least eight disaster drills each year. "At least four of the drills must be fire exit drills. Drills must be held at different hours of the day or evening." "A board of trustees shall identify local hazards that exist within the boundaries of its school district and design drills to address those hazards." "The recall signal must be separate and distinct from any other signal." Mont. Code Ann. §§20-1-401, §20-1-402 and §20-1-404.

The sale of dangerous drugs on or within 1,000 feet of a private elementary or secondary school is a criminal offense under Montana's criminal code. Mont. Code Ann. §45-9-109." ([Montana State Regulations](#))

Teacher Certification: A Montana educator license is required for all administrators, specialists, and instructors working in an accredited Montana school. ([Montana State Regulations](#))

Testing: According to the US Department of Education, "All accredited schools must annually administer state-level assessments approved by the state board. Each spring the office of public instruction will identify a testing period when students must participate in state level assessments. Two implementation phases shall be followed. "Phase 1 – school years 2012-2013 and 2013-2014, the assessments shall be: (A) aligned to Montana content standards; (B) administered to grades 3-8 and 10 in math and reading; (C) administered to grades 4, 8, and 10 in science; and (D) administered in the spring of the year. Phase 2 – beginning in school year 2014-2015, the assessments shall be: (A) aligned to Montana common core standards; (B) administered to grades 3-8 and 11 in math and English language arts; and (C) aligned to Montana content standards for science and administered in grades 4, 8, and 10." Mid-school year assessments will be administered to all students identified as Limited English Proficient (LEP) in grades K-12. All results of the state-level assessments must be provided to the office of public instruction and school districts in a format specified by the office of public instruction and approved by the board of public education. Administrative Rules of Montana 10.56.101." ([Montana State Regulations](#))

Transportation: According to the US Department of Education, "Nonpublic school students may ride a public school bus if there is seating capacity available and the child secures a permit from the local school district. The school district may charge the child his or her proportionate share of the cost of operating the school bus. Mont. Code Ann. §20-10-123.

School children traveling to and from parochial schools may receive free transportation or reduced rates from common carriers. Mont. Code Ann. §69-11-208(1)(o)." ([Montana State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “To qualify its students for exemption from compulsory enrollment under §20-5-102, a nonpublic or home school shall maintain records on pupil attendance and disease immunization and make the records available to the county superintendent on request. Mont. Code Ann. §20-5-109(1). Each accredited school must keep, in secure storage, a permanent record for each student. This file must include: ‘(a) the name and address of the student; (b) his/her parent or guardian; (c) birth date; (d) academic work completed; (e) level of achievement (grades, standardized achievement tests); (f) immunization records as per §20-5-406, MCA; (g) attendance data; and (h) the statewide student identifier assigned by the Office of Public Instruction.’

If a school closes, all records are to be sent to the local county superintendent. Administrative Rules of Montana 10.55.909, established by Montana Board of Public Education as authorized by Mont. Code Ann. §20-7-101.” ([Montana State Regulations](#))

Reimbursement for Performing State and Local Functions: No known state policy. ([Montana State Regulations](#))

Virtual/Online Schools

According to the Montana Secretary of State:

“(1) This rule establishes requirements for distance, online, and technology-delivered learning programs and/or courses that fulfill elementary or middle grades basic education programs and/or high school graduation requirements.

(2) School districts may receive and/or provide distance, online, and technology delivered learning programs.

(a) School districts receiving distance, online, and technology-delivered learning programs to supplement instruction may utilize distance, online, and technology-delivered learning as they would other supplementary resources without restriction.

(b) Distance, online, and technology-delivered learning programs and/or courses shall at a minimum be aligned with state content standards and content-specific grade-level or grade-band learning progressions.

(c) Annually, a school district shall provide a report to the Superintendent of Public Instruction documenting all distance, online and technology-delivered courses, student enrollments, and the digital content providers.

(3) Except as provided in (3)(a), teachers of distance, online, and technology- delivered learning programs shall be licensed and endorsed in Montana or elsewhere in the area of instruction with such license granted as a result of the completion of an accredited professional educator preparation program as defined in ARM [10.57.102](#). School districts receiving distance, online, and technology-delivered learning programs described in this rule shall have a distance learning facilitator for each course and available to the students.

(a) When a teacher of distance, online, and technology-delivered learning programs and/or courses does not possess the qualifications specified in (3), the facilitator must be licensed and endorsed in Montana or elsewhere in the area of instruction facilitated.

(b) When a teacher of distance, online, and technology-delivered learning programs is qualified as provided in (3), the receiving school district's facilitator shall be a licensed teacher or a para-educator.

- (c) School districts receiving distance, online, and technology-delivered learning programs and/or courses must provide qualified facilitators for synchronous delivery to students in schools accredited by the Montana Board of Public Education, requiring physical presence of a facilitator, and for asynchronous delivery, requiring facilitators be available to students.
- (d) The school district must ensure that the distance, online, and technology-delivered learning facilitators receive in-service training on technology-delivered instruction.
- (4) Montana school districts providing distance, online and technology- delivered learning shall comply with the teacher load requirements of ARM [10.55.713](#)(3).
- (5) Digital content providers serving Montana schools accredited by the Board of Public Education shall:
- (a) annually register, prior to delivering courses, with the Office of Public Instruction;
 - (b) annually identify the Montana school districts served in the current school year by the digital content provider, including the courses and student enrollments for each school district served; and
 - (c) document the professional qualifications, including Montana teacher licensure and endorsement, of their teachers of distance, online, and technology-delivered programs and/or courses by providing names and credentials of other licensing entities, when not licensed and endorsed in Montana.” ([Montana Secretary of State – Distance, Online, and Technology-Delivered Learning](#))

Nebraska

Nebraska requires private schools to be approved by the state, unless they wish to operate as an “exempt” private school. The state places requirements around the length of the school year and around the subject matter that must be taught. Teachers in approved schools must be certified by the state of Nebraska.

U.S. Department of Education (DoE) – Nebraska State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/nebraska.html> (updated September 2013)

Nebraska Legislature - Schools: <https://nebraskalegislature.gov/laws/browse-chapters.php?chapter=79>

Private School Regulations

According to the US Department of Education, “In Nebraska, a nonpublic school must be (a) accredited; (b) approved; or (c) receive an exemption from the Commissioner of Education from the requirements for the operation of approved private schools.” ([Nebraska State Regulations](#))

Registration: No requirements. ([Nebraska State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “Approved private, denominational, or parochial schools are eligible to apply for and maintain accreditation. *Title 92, Nebraska Administrative Code*, Chapter 10 §001.03 (92 NAC 10 §001.03).” ([Nebraska State Regulations](#))

State Approval: Mandatory. According to the US Department of Education, “Approval is required unless a school chooses to operate under the provisions for “exempt” schools in 92 NAC 12 or 13. 92 NAC 14 §001.02.

The Nebraska Department of Education (NDE) is authorized to establish rules and regulations regarding the governance and standards for private, denominational, and parochial schools which elect, pursuant to procedures prescribed in Nebraska Revised Statute §79-1601 (2) to (6) (Neb. Rev. Stat §79-1601 (2) to (6)), not to meet all state accreditation or approval requirements. Neb. Rev. Stat. §79-318(5)(c).

Schools exempt from the approval and accreditation requirements are not considered either approved or accredited by the Nebraska Department of Education and are not entitled to any of the benefits, privileges, or services accorded or provided to approved or accredited schools by 92 NAC 12 §001.02 and 13 §001.02.” ([Nebraska State Regulations](#))

State Licensing: No known requirements. ([Nebraska State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to state statute, school attendance is mandatory for students between ages 6 and 18, with some exceptions. Private school attendance meets compulsory attendance requirements. ([Neb. Rev. Stat. §79-201](#))

Length of School Year and Day: According to the US Department of Education, “Under Nebraska's compulsory education statute, a school term (year) must be no less than 1,032 instructional hours for

elementary school and 1,080 instructional hours for high school. Kindergarten's school term must be at least 400 clock hours. Neb. Rev. Stat. §79-211; 92 NAC 10 §003.06 and 14 §004.01.” ([Nebraska State Regulations](#))

Curriculum: According to the US Department of Education, “Approved and accredited private, denominational, and parochial schools, grades k–five, must devote at least one hour per week to reciting stories of American history or American heroes, singing patriotic songs and memorizing the "Star Spangled Banner" and "America," and developing reverence for the flag and instruction proper conduct in its presentation. Neb. Rev. Stat. §79-724(3).

In at least two grades from grades five–eight, approved and accredited private, denominational, and parochial schools must devote at least three periods per week to the teaching of American history from approved textbooks, taught so as to make the course interesting and attractive and to develop a love of country. In at least two grades of every high school, three periods per week must be devoted to civics, including the constitutions of the United States and Nebraska; the benefits and advantages of our form of government; the dangers and fallacies of Nazism; communism, and similar ideologies; and the duties of citizenship. Appropriate patriotic exercises must be held for Lincoln's birthday, Washington's birthday, Flag Day, Memorial Day, and Veteran's Day. Nebraska requires that all of these history courses stress the contributions of all ethnic groups to the growth of America, art, music, education, medicine, literature, science, politics, government, and war service. Neb. Rev. Stat. §79-724(4)-(6).

Approved and accredited private, denominational, and parochial schools must provide regular periods of instruction on fire dangers and fire prevention. Neb. Rev. Stat. §79-706.

Approved and accredited private, parochial and denominational school teachers must give special emphasis in their instruction to common honesty, morality, courtesy, obedience to law, respect for the national flag, the Constitution of the United States, and the Constitution of Nebraska, respect for parents and the home, the dignity and necessity of honest labor, and other lessons which promote an upright and desirable citizenry. Neb. Rev. Stat. §79-725.

Accredited and approved schools must have a core curriculum which includes language arts, social studies, science, mathematics, career and technical education, world language, visual and performing arts, and personal health and physical education. More detailed requirements depending on grades in the school are listed in 92 NAC, chapter 10 for accredited private schools and chapter 14 for approved private schools. 92 NAC 10 §002.05 and 14 §002.03.

Each accredited and approved four-year high school shall require at least 200 credit hours for graduation, with 80 percent being from the core curriculum. 92 NAC 10 §003.05 and 14 §004.01D.

Accredited nonpublic high schools may provide up to 200 instructional units of the total 400 requirement through the following course options: (1) synchronous multi-site or distance learning; (2) instructional units provided through contractual or cooperative arrangements with other school systems, educational service units, and/or postsecondary institutions provided at the school's expense; or (3) asynchronous multi-site or distance learning. For the instructional units to count, at least one student must be enrolled, a certified teacher must monitor or teach, and the course must be listed on the course schedule. 92 NAC 10 §004.04D.

Approved nonpublic high schools may provide up to 100 instructional units of the total 200 required through the following course options: (1) instructional units provided through contractual or cooperative arrangements with other school systems, educational service units, and/or postsecondary institutions; (2)

distance learning can represent up to 60 instructional units; or (3) correspondence courses available through Independent Study High School, University of Nebraska-Lincoln can account for 30 instructional units. For any instructional unit to count, at least one student must be enrolled, a certified teacher must be monitor or teach, and the course must be listed on the course schedule. 92 NAC 14 §007.01A.

Prior to the date that an exempt school begins operation, each representative must submit a chart or written summary showing the scope and sequence of the sequential program of instruction designed to lead to basic skills in the language arts, mathematics, science, social studies, and health to the Commissioner of Education. 92 NAC 12 §004 and 13 §004.

Instruction must be given in the English language in private, denominational and parochial schools. Nebraska Constitution Art. I, Sec. 27.” ([Nebraska State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “Any person who possesses a firearm in a school, on school grounds, in a school-owned vehicle, or at a school-sponsored activity or athletic event is guilty of the offense of unlawful possession of a firearm at a school. Unlawful possession of a firearm at a school is a class IV felony. Neb. Rev. Stat. §28-1204.04(1).

A political subdivision may enact an ordinance, resolution, or other legal restriction prescribing where sex offenders may reside only if the restrictions are limited to sexual predators, and extend no more than five hundred feet from a school or child care facility. Neb. Rev. Stat. §29-4017.

Each private, denominational, or parochial school, (including exempt schools that are not exempt for religious reasons) shall require each student to be immunized against measles, mumps, rubella, poliomyelitis, diphtheria, pertussis, and tetanus prior to enrollment. On and after July 1, 2010, every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine. Neb. Rev. Stat §79-217 and 92 NAC 12 §013.

Exceptions to the immunization requirement can be found in Neb. Rev. Stat §79-221 through 222, and 92 NAC 12 §013.

The second Friday of May is designated as State Fire Day to be observed by approved and accredited private and parochial schools to create awareness of fire damage. Neb. Rev. Stat. §79-705.

Approved and accredited private, denominational and parochial schools must provide monthly fire drills. Neb. Rev. Stat. §79-706.

Approved and accredited private schools must conduct regular fire drills in accordance with adopted regulations and keep all doors and exits unlocked during school hours. Neb. Rev. Stat. §81-527.

Accredited schools must maintain safe, orderly, and healthy conditions, both in the school facilities and general environment. This includes a safety and security plan and committee, a policy on bullying, and a policy on dating violence that includes a statement that dating violence will not be tolerated. 92 NAC 10 §011.” ([Nebraska State Regulations](#))

Teacher Certification: According to the US Department of Education, “Private, denominational, and parochial school teachers in accredited and approved schools must hold a valid Nebraska certificate or permit issued by the commissioner of education. Neb. Rev. Stat. §79-802.

Pursuant to Neb. Rev. Stat. §79-1603, persons conducting religion or prekindergarten classes which are not counted towards the nonpublic school's courses for purposes of complying with the requirements in

accredited or approved nonpublic schools are not required to hold Nebraska certification. 92 NAC 10 §003.01 and 14 §004.01A.

Administrators in accredited nonpublic schools and approved private schools that are composed of k-12, or each secondary school with grades 10–12 or high school, must have a Nebraska administrative certificate. Approved nonpublic schools may share an area or diocesan head administrator. 92 NAC 10 §003.01 and 14 §004.02C.

Employees of schools electing not to be accredited or approved (exempt schools) need not be certified, but must complete appropriate subject matter components of a nationally recognized teacher competency examination or offer evidence of competence through informal methods of evaluation developed by the state board of education. These methods are described in the regulations 92 NAC 12 §004.02 and 13 §004.02. Neb. Rev. Stat. §79-1601(5).

In an accredited nonpublic school, the ratio of pupils to certified staff members as computed on a full-time equivalency shall not exceed 25 to 1. 92 NAC 10 §012.01C.

Accredited nonpublic schools must have a principal who holds a Nebraska administrative supervisory certificate with an endorsement for serving as principal for the appropriate level of grades or for superintendent. The principal is assigned at least one-half of his/her working hours for administration and supervision when there are 10 or more full-time equivalency teachers; and full-time when there are 20 or more. For each accredited private school having grades 10–12, the head administrator must have the endorsement for serving as a superintendent. Nonpublic school systems may share an area or diocesan head administrator. 92 NAC 10 §008.

In accredited nonpublic schools with elementary grades, a minimum of 95 percent of teachers, computed on a full-time equivalency basis, must hold certificates with the appropriate endorsements for the area to which they are assigned. Those with the middle grades must have, computed on a full-time equivalency, at least 90 percent of teachers holding either a middle grades endorsement or an appropriate secondary endorsement; those with an elementary endorsement may teach in grades seven and eight if they acquire six credit hours per year toward the middle grades endorsement or participate in staff development; and those with a content area endorsement at the secondary level may teach grade six in that content area if they acquire six credit hours per year toward the elementary or middle grades endorsement. In a secondary school, at least 80 percent of the instructional units offered must be assigned to teachers who have certificates with the appropriate endorsements. 92 NAC 10 §007.

Accredited K–12 or secondary nonpublic schools and schools with 300 or more students in the middle, secondary, or high school grades must have at least one-half time equivalency person to conduct a guidance and counseling program. If there are over 400 students in the k–12 or secondary school there must be at least one full-time equivalency appropriately endorsed person. If there are 450 or more students in the middle, secondary, or high school grades there must be at least one full-time equivalency appropriately endorsed person. An additional one-half time equivalent of an appropriately endorsed person is assigned for each 225 students at any of those levels. In nonpublic schools, clergy holding a Nebraska teaching or administrative certificate may fulfil the requirement. Other exceptions are listed in the section. 92 NAC 10 §007.05

In an approved nonpublic school, the ratio of pupils to certified staff members, as computed on a full-time equivalency basis, shall not exceed 30 to 1. 92 NAC 14 §004.02C4.

Approved nonpublic elementary schools having more than one and less than 10 full-time equivalency teachers must have a principal or designate one teacher as head teacher. The head teacher holds at least a Nebraska initial, standard, or professional teaching certificate issued with an appropriate endorsement for elementary education. The principal must hold a Nebraska standard or professional administrative certificate issued with an endorsement for principal or superintendent. When the number of full-time equivalency teachers reaches 10 or more, a principal holding a Nebraska standard or professional administrative certificate with an endorsement for principal or superintendent must be assigned at least one-half time for administration and supervision. Two or more schools may jointly contract with a person holding a Nebraska standard or professional administrative certificate with an endorsement for principal or superintendent. 92 NAC 14 §§005.02B, 005.02C, 006.02B, and 006.02C.

In approved nonpublic schools with elementary grades, a minimum of 90 percent of teachers, computed on a full-time equivalency basis, must hold certificates with the appropriate endorsements for the areas to which they are assigned. Those with middle grades must have, computed on a full-time equivalency, at least 80 percent of teachers holding either a middle grades endorsement or an appropriate secondary endorsement; those with an elementary endorsement may teach in grades seven and eight if they acquire six credit hours per year toward the middle grades endorsement or participate in staff development; and those with a content area endorsement at the secondary level may teach grade six in that content area if they acquire six credit hours per year toward the elementary or middle grades endorsement. In a secondary school, at least 70 percent of the instructional units offered must be assigned to teachers who have certificates with the appropriate endorsements. 92 NAC 10 §§006-007.” ([Nebraska State Regulations](#))

Testing: According to the US Department of Education, “Accredited nonpublic schools are required to administer a standardized norm-referenced test in at least one grade in each of the following three levels: grades four to six, grades seven to nine, and grades 10 to 12. Each school must submit a written performance report annually. 92 NAC 10 §005.01B – 005.02.

Approved nonpublic schools are required to administer a standardized norm-referenced assessment instrument in at least one grade in each of the following three levels: grades four to six, grades seven to nine, and grades 10 to 12. Each school must submit a written performance report including school demographics annually. Also at least once every three years, each approved private high school must conduct a follow-up study of its graduates. 92 NAC 14 §004.02E.” ([Nebraska State Regulations](#))

Transportation: According to the US Department of Education, “School boards providing transportation for children attending public schools must also provide transportation on the regular public school bus routes without cost for children attending nonprofit private schools within the district that are approved for legal operation under Neb. Rev. Stat. §79-318(5)(c). The transportation shall extend only from some point on the regular public school route nearest or most easily accessible to their homes to and from a point on the regular public school route nearest or most easily accessible to the school or schools attended by such children. Neb. Rev. Stat. §79-601.

The Nebraska Supreme Court determined that Neb. Rev. State §79-487, the source of Neb. Rev. Stat §79-601, does not violate the constitution of Nebraska. State ex rel. Bouc v. School Dist. of City of Lincoln, 320 N.W.2d 472 (1982).

Nonprofit private schools must certify to the public school district the names, addresses, days of school attendance, and other useful information, on forms provided by the State Department of Education. Neb. Rev. Stat. §79-601.

Nonpublic schools must have transportation vehicles inspected by a motor vehicle mechanic before school opens in the fall and every 80 days during the school year. Neb. Rev. Stat. §79-602.

School bus drivers must furnish to the governing authority of a nonpublic school a driving permit issued by the Department of Motor Vehicles before contracting to provide school bus services. Neb. Rev. Stat. §79-608.

Companies providing bus service to private, denominational, or parochial schools must give instruction in safe riding practices and emergency evacuation drills at least twice during each school year. Neb. Rev. Stat. §79-609.” ([Nebraska State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “Private schools must notify in writing persons enrolling new students that within 30 days they must provide (a) a certified copy of the student's birth certificate or (b) other reliable proof of the student's identity and age, along with an affidavit explaining why the birth certificate is inaccessible. Exempt schools (home schools) provide the commissioner of education with this same documentation. Neb. Rev. Stat. §43-2007(2)(3).

On the third day of classes, in private, denominational, and parochial schools, the teachers shall send to the superintendent or administrator of the school a list of the pupils enrolled in his or her school with the age, grade and address of each. Neb. Rev. Stat. §79-205.

Private, denominational, and parochial school teachers must keep a record of (1) the name, age, and address of each child enrolled, (2) the number and county of the school district, (3) the number of days present and absent, and (4) the cause of absence. Neb. Rev. Stat. §79-205.

The head administrator of approved or accredited nonpublic schools must report the number of students who dropped out, were suspended, or excluded from school to the Commissioner of Education annually. Neb. Rev. Stat. §79-527.

Student records must be provided at no charge to any public or private school, upon request, when the student transfers. Neb. Rev. Stat. §79-2,105.

When notified that a student currently or previously enrolled is a missing person, private schools must flag the student's records and report immediately any request for the records or knowledge of the person's whereabouts to the local law enforcement agency. Schools must not forward a copy of the student's flagged record to a requesting school. Neb. Rev. Stat. §43-2007.

Nonpublic schools shall have a school record that is signed by the teacher and principal of the school which such child has attended and shall be furnished on demand to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended the public school, or school's equivalent, or parochial school for no less than three-fourths of the school year prior to applying for such school record, and is able to read and write simple sentences in the English language. It shall also state the amount of work completed by such child, measured by the grade of the public day schools in the city or county. Such school record shall also give the age and residence of the child as shown on the records of the school, and the name of his/her parent, guardian, or custodian. Neb. Rev. Stat. §48-306.

The head administrator of an accredited nonpublic school or the head administrator, or head teacher, or presiding officer of the governing body of each approved nonpublic school must submit electronically, via the Nebraska Student and Staff Record System (NSSRS) portal, the following:

By Sept. 15 of each school year, a fall personnel report, with additions of certified staff after that date being reported to the department.

By the last day of February of each school year, a curriculum report.

Data elements with individual student demographics, including race, poverty status, high mobility status, attendance, and limited English proficiency; individual student achievement including data for assessments; and individual educational input characteristics including class size, teacher education, teacher experience, special education, early childhood programs, federal programs, and targeted education programs. These must be submitted by June 30 of each school year for the accredited nonpublic school. 92 NAC 10 §003.08 and §005.02 and 14 §004.01G.

Approved nonpublic schools must annually prepare a written report, which includes, at minimum, student performance and student demographics. No public reports of students' performance are provided for any grades having fewer than five students. 92 NAC 14 §004.02E2.

The parent representative of each exempt school must file a statement annually, by July 15, containing names and ages of all children in the school and the names of their parents or guardians and assurances regarding submission of information on enrollment and attendance, signed in the presence of and acknowledge by a notary public upon oath or affirmation. This statement must be accompanied by a parent or guardian's statement signed by each parent of all children who attend the exempt school. 92 NAC 12 §003.02A and 13 §003.02A.

The parent representative of each exempt school must submit an information summary to the commissioner or designee prior to the date that the exempt school begins operation, and annually thereafter July 15, that includes: (1) a calendar of the school year indicating the hours of operation; (2) a list of all instructional monitors including their address, age, highest level of education complete, educational institutions attended and years of attendance, and a summary of prior teaching or monitoring experience; (3) a chart or written summary showing the scope and sequence of the curriculum; and (4) the names of the residential public school district and counties of the students. 92 NAC 12 §004 and 13 §004.

A copy of the certificate or permit of each staff member of an approved private school who is required to have a certificate must be on file in the school or school system's administrative office. 92 NAC 14 §004.02C3.” ([Nebraska State Regulations](#))

Reimbursement for Performing State and Local Functions: There is no state policy at this time. ([Nebraska State Regulations](#))

Nevada

Private schools in Nevada do not need to be registered, approved, or accredited by the state, but non-denominational private schools do need to be licensed. The state places requirements around the length of the school year and around the subject matter that must be taught. Teachers in licensed public schools must have either a teaching license or a bachelor's degree and three years of teaching experience.

State of Nevada Department of Education – Nevada Private Schools:

https://doe.nv.gov/Private_Schools/

U.S. Department of Education (DoE) – Nevada State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/nevada.html> (updated August 2017)

Private School Regulations

Registration: No known requirements. ([Nevada State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “Accreditation by national or regional accrediting agencies recognized by the United States Department of Education (U.S. Department of Education) may be accepted as evidence of compliance with the minimum standards. Nevada Revised Statutes (NRS) 394.241.

Note: The U.S. Department of Education has the authority to recognize accrediting bodies for the accreditation of institutions of higher (postsecondary) education. If an accrediting body that is recognized by the U.S. Department of Education for the purposes of higher education also accredits elementary and secondary schools, the U.S. Department of Education's recognition applies only to the agency's accreditation of postsecondary institutions. Thus, for elementary and secondary schools, private or public, there are no "nationally recognized" accreditation agencies, at least in the sense of recognition by the U.S. Department of Education.” ([Nevada State Regulations](#))

State Approval: No requirements. ([Nevada State Regulations](#))

State Licensing: Mandatory. According to the Nevada Department of Education, “All private schools must be licensed by the Nevada Department of Education. A majority of the private schools are exempt from the Private Elementary and Secondary Education Authorization Act. Exempt private schools are those connected to a church or ministry, another government agency, or a fraternal/benevolent entity.” ([Nevada Private Schools](#))

According to the US Department of Education, “It is illegal to operate an elementary or secondary private school without a license unless exempt from the provisions of the Private Elementary and Secondary Education Authorization Act, which is NRS 394.201 to 394.351. NRS 394.201.

Nevada defines "license" as "the written authorization of the Board or Commission to operate or to contract to operate a private elementary, secondary or postsecondary educational institution." NRS 394.075.

An elementary or secondary private school must apply to Nevada's superintendent of public instruction for a license to operate. The application must include a "catalog or brochure published or proposed to be published by the institution." The license term will be limited to at most two years, unless the school was

licensed to operate for a period of no less than four years previously. In that case, the term could be up to four years. NRS 394.251.

A school must apply for license renewal at least 60 days before the expiration of a license. NRS 394.251.

Under the Private Elementary and Secondary Education Authorization Act, private schools must be licensed according to minimum criteria established by the Nevada Board of Education. The criteria must be sufficient to effectuate the purpose of the act but not unreasonably hinder legitimate educational innovation. The minimum standards include: (1) ensuring that the quality and content of instruction achieve the stated objective of the program and upon completion the student receives appropriate credentials; (2) the school has adequate space, equipment and instructional materials; the school complies with health and safety regulations; (3) the institution is financially sound and capable of fulfilling its commitments; (4) the staff is qualified enough to ensure the state objective of the program is met; (5) there is an informative brochure about the program; (6) attendance, progress, and performance records are maintained; (7) no owners or staff engage in misleading, false, or unfair advertising and financial practices and are of good character; and (8) the institution has a fair and equitable cancellation and refund policy. NRS 394.241.

Elementary and secondary educational institutions operated by churches, religious organizations and faith-based ministries may claim an exemption to the provisions of the Private Elementary and Secondary Education Authorization Act. Institutions claiming an exemption must file for the exemption with the Nevada Board of Education on forms provided by the Nevada Department of Education (Department) or in a letter containing the required information. The exemption expires two years after the last day of the calendar month in which the filing is made. NRS 394.211.

When a private school applies for a license or a license renewal, the superintendent must inspect the school to ensure it is following all applicable health and safety laws, regulations and ordinances, maintains records and has the insurance coverage required by the Nevada Board of Education regulations. NRS 394.245.

License application fees are \$300; renewal fees are \$250. Schools applying for a license must file a surety bond for not less than \$5,000, or a certificate of deposit for the same amount, to provide indemnification for anyone suffering damage from the school resulting from a violation of the act. NRS 394.331 and 394.271.” ([Nevada State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance:

Compulsory attendance laws are waived for children in private school or homeschooled children. According to the Nevada state legislature, Attendance of a child required by the provisions of [NRS 392.040](#) must be excused when:

1. The child is enrolled in a private school pursuant to [chapter 394](#) of NRS; or
2. A parent of the child chooses to provide education to the child and files a notice of intent to homeschool the child with the superintendent of schools of the school district in which the child resides in

accordance with [NRS 388D.020](#). [366:32:1956]— (NRS A [1999, 3316](#); [2003, 2961](#); [2005, 2825](#); [2007, 3035](#); [2015, 1844](#); [2019, 3289](#)) “ ([Nevada State Legislature](#))

Length of School Year and Day: According to the Nevada Department of Education, “All private schools, exempt or not, must provide at least the curriculum required of public schools, 180 days of instruction, and the same number of minutes per day that is required of public schools.” ([Nevada Private Schools](#))

Curriculum: According to the Nevada Department of Education, “All private schools, exempt or not, must provide at least the curriculum required of public schools.” ([Nevada Private Schools](#))

According to the US Department of Education, “Private schools must provide instruction for private school students in the subjects required by law for public school students, either under the prescribed regular state courses or through courses prepared by private schools and approved by the state board of education. Nothing in this section may be construed to interfere with the right of private schools to give religious instruction. NRS 394.130.

The core subjects of study that public school students are required to learn are English (reading, composition, and writing), mathematics, science and social studies (history, geography, economics and government). NRS 389.018.

Additionally, all private schools must provide instruction in the Constitution of the United States and the state of Nevada, "including the origin and history, and the study of and devotion to American institutions and ideals." At least one year of instruction is required at the elementary school level and high school level. Private school students may not receive a certificate or diploma without having passed an examination on the constitutions. NRS 394.150.

A private school student may participate in any public-school classes or extracurricular activities (excluding sports) at the request of the parent or legal guardian if there is space, the notice of intent is filed, and the parent demonstrates to the board of trustees that the child is qualified to participate in that class or extracurricular activity. NRS 392.070.3.” ([Nevada State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “Students may not enroll in a private school without a certificate of immunization unless excused based on a religious belief or medical condition. Students may conditionally enter a private school if a parent/guardian submits a certificate that the child is currently receiving the required immunizations. Immunizations must be completed within 90 days, or the child must be excluded from school until the immunization requirement has been met. NRS 394.192(1) – (4) and 394.193.

If a dangerous contagious disease exists in a private school, a child excused from the immunization requirements must be immunized or excluded from school, and the local health officer must be notified. NRS 394.198.

Private schools must conduct fire drills at least once each month during the school year to instruct students in proper procedures in case of emergency. Not more than two drills may include instruction in the procedures to follow in the event of a chemical explosion, related emergencies and other natural disasters. The state fire marshal prescribes regulations governing fire drills. Copies of this section shall be kept posted in every classroom of every private school. NRS 394.170.

Each private school must establish a committee to develop a plan to be used by the school in responding to a crisis. The development committee must include ‘at least one member of the governing body; at least

one administrator of the school; at least one teacher of the school; at least one employee of the school who is not a teacher and who is not responsible for the administration of the school; at least one parent or legal guardian of a pupil who is enrolled in the school; at least one representative of a local law enforcement agency in the county in which the school is located; and at least one representative of a state or local organization for emergency management.’ NRS 394.1685.

The development committee must, at least once each year, review and update the crisis plan as appropriate, and provide an updated copy of the plan to the governing body of the school. NRS 394.1691.” ([Nevada State Regulations](#))

Teacher Certification: According to the US Department of Education, ‘The education and experience qualifications of directors, administrators, supervisors and instructors reasonably ensure that the students will receive education consistent with the objectives of the course or program of study.’ This is a minimum standard that must be maintained by elementary and secondary educational institutions in Nevada. NRS 394.241 (1)(c).

A full-time administrator in a licensed private school must: ‘(1) hold an administrator’s license issued by the Department or by another state or territory of the United States; (2) hold a bachelor’s degree from an institution accredited by a regional accrediting association that is approved by the U.S. Department of Education and have 5 years of verified experience in educational administration; or (3) hold a master’s degree from an institution accredited by a regional accrediting association that is approved by the United States Department of Education and have 3 years of verified experience in educational administration.’ Nevada Administrative Code (NAC) 394.050 (1).

An instructor in a licensed private school must: ‘(1) hold a teacher’s license issued by the Department or by another state or territory of the United States that is appropriate for his assignment; (2) hold a bachelor’s degree from an institution accredited by a regional accrediting association that is approved by the United States Department of Education and have 3 years of verified full-time or supervised experience in teaching the appropriate grade level; or (3) hold a master’s degree in an area that is appropriate for the instructor’s assignment from an institution accredited by a regional accrediting association that is approved by the United States Department of Education and have 1 year of verified full-time or supervised experience in teaching the appropriate grade level.’ NAC 394.050 (2).

Teachers responsible for giving instruction must show satisfactory evidence of the necessary knowledge of the United States Constitution and the Constitution of the state of Nevada by examination or credentials. NRS 394.160.” ([Nevada State Regulations](#))

Testing: No state policy currently exists. ([Nevada State Regulations](#))

Transportation: According to the US Department of Education, “School districts with less than 100,000 in population who provide transportation for public school students may also provide transportation for resident students attending nonprofit private schools on established public school bus routes. NRS 386.790.

Private schools are subject to the Nevada laws regulating the condition, equipment and identification of vehicles used for pupil transportation. All vehicles are subject to inspection at all times. NRS 394.190.” ([Nevada State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “Private schools are required to furnish periodic reports of enrollment, attendance and general progress within each school to the superintendent of public instruction. NRS 394.130.

Private elementary and secondary schools may not permanently admit a student until the parent/guardian furnishes a birth certificate or other proof of the child's identity and, if applicable, the student's prior school records. Children must be admitted to a school under the name appearing in the identifying documents, unless the parent/guardian furnishes a court order to the contrary or the child is in the custody of the welfare division. If the parent/guardian fails to furnish identifying documents within 30 days of conditional admission, the principal must notify the local law enforcement agency and request a determination of whether the child has been reported missing. NRS 394.145.

Before Dec. 31 of each year, private schools must report, on a form provided, the number of students fully immunized to the Division of Public and Behavioral Health of the Department of Health and Human Services. NRS 394.192(5).

Private elementary and secondary educational institutions discontinuing operations must file original or true copies of all student academic records with the superintendent of public instruction, who superintendent will maintain those records permanently. NRS 394.341.

The superintendent of public instruction maintains a list of private elementary and secondary schools that are authorized to operate in the state and investigates complaints brought against the schools. NRS 394.221 and 394.231.

On or before Nov. 15, the Nevada Department of Education will annually prepare a directory of private schools, which includes information on staff licenses or the alternative method in which the teacher or administrator met the requirements put forth by the Nevada Department of Education. NAC 394.015 and 394.050.” ([Nevada State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. 0([Nevada State Regulations](#))

Virtual/Online Schools

DoE Nevada – Distance Education Program Handbook:

https://doe.nv.gov/uploadedFiles/ndedoenvgov/content/Distance_Education/Documents/Distance-Education-Program-Handbook.pdf

The Department of Education regulates the approval of distance education courses and programs according to NRS388 and NAC388. See working definitions below for “course” and “program”.

Course: The organization of subject matter and related learning experiences for the instruction of students on a regular or systematic basis. Courses are usually offered to an individual or group of students (e.g., a class) for a predetermined period of time (e.g., a semester, two weeks), although pacing may vary in a virtual setting. Thus, the term “course” refers to subject matter content, whereas the term “class” refers to the setting in which a course is offered to one or more students.

Program: A series of courses that build upon one another to provide either depth or breath within a subject matter area. A virtual or traditional school may provide a program that consists of a series of related courses offered virtually. Within a given school and program, there might be several classes for the same course. All of the classes would cover the same subject matter, but they might meet at different times (e.g., 1st period, 7:00 p.m., or “student-paced and not at a specific time”), attract different groups of students (e.g., 10th grade students or adult students), rely upon different instructional approaches (e.g., instructor-led or self-taught), and use various media for communication between students and instructors (e.g., face-to-face or online).

Because the technology driving virtual education permits participation regardless of administrative boundaries—attendance areas, county lines, and state borders—restrictions on participation have largely become administrative and policy issues. These policy decisions are often constrained by overarching rules and regulations, such as local or state laws limiting the transfer of funds across administrative boundaries or regulations requiring specific academic credentials to teach within a particular state or school district.

Micro Schools/Learning Pods

According to [MicroschoolingNV](#), “Some microschools are set up as a private school and charge tuition (along with following other government requirements), others are similar to homeschooling co-ops and work out payments in different ways. Charter schooling has been discussed as a possibility for microschools. In some states, however, certain rigidities have generally stood in the way of charter microschools as a viable model. Microschooling set up as a private school, or where possible as a charter school, will be subject to certain government requirements. Microschooling that is modeled as a homeschooling co-op is allowed more freedom and while it may align with the Nevada Academic Content Standards, it will allow for freedom and flexibility regarding how and when the standards are taught.”

[\(MicroschoolingNV\)](#)

New Hampshire

Private schools in New Hampshire need to be approved by the state to operate. The state sets regulations both around the length of the school year, but places minimal requirements around the subject matter to be taught. There is no information available around any requirements on private school teachers.

NH Code of Administrative Rules – Approval of Nonpublic Schools:

<https://www.education.nh.gov/who-we-are/division-of-educator-and-analytic-resources/bureau-of-educational-opportunities/nonpublic-school-approval-office>

New Hampshire Department of Education (DoE) – FAQs:

<https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/sonh/nps-faq.pdf>

Guide on How to Start a Nonpublic School:

<https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/sonh/nps-how-to-start.pdf>

Private School Regulations

Registration: No publicly available information.

State Accreditation: Voluntary. Accreditation is a voluntary process in which schools submit to a review by an accrediting organization which measures the schools against standards established by the accrediting organization. Most public and nonpublic high schools and a few middle schools in New Hampshire are accredited by the New England Association of Schools and Colleges (NEASC) (www.NEASC.org).

State Approval: Required. School approval is a mandatory process required by [RSA 21-N:9](#). All children residing in the State of New Hampshire between the ages of 6 and 18 are required by [RSA 193:1](#) to attend an approved public school, approved nonpublic school, or an approved home school program.

State Licensing: No known requirements.

Non-Profit or For-Profit: Either. State guide on nonpublic school provides implication information on operations as a for-profit or non-profit institution. ([NH DoE – Office of Nonpublic Schools Guide](#))

Commercial Space: Must verify that school conforms to the zoning requirements of the town or if there are any zoning restrictions placed on the school. Zoning is the classification of land according to restrictions placed on its use and development. Zoning ordinances define how property in specific geographic zones can be use. A certificate of occupancy (CO) designed for a school must as be provided to the DOE certifying that the building is compliant with building codes and that it is in a condition suitable for occupancy by school staff and students. The certificate is often obtained in the town or country's building department of department of housing. A CO is proof that the property has complied with all relevant and building and zoning codes. Prior to its release, the building will have to pass all inspections, which may include electrical, plumbing, HVAC, fire safety, and a general building inspection. ([NH DoE – Office of Nonpublic Schools Guide](#))

Liability Insurance: No known requirements.

Compulsory Attendance: A parent of any child at least 6 years of age and under 18 years of age shall cause such child to attend the public school to which the child is assigned in the child's resident district. Such child shall attend full time when such school is in session. [RSA 193:1](#)

Length of School Year and Day: Each non-public school shall maintain a school year consisting of the following number of hours of instructional time:

- (1) In kindergarten at least 450 hours;
- (2) In grades one through 6, at least 945 hours; and
- (3) In grades 7 through 12 at least 990 hours.

(b) Each school shall have in its school year an additional 30 hours in duration to provide for instructional time lost due to inclement weather or unexpected circumstances. Schools shall use these additional hours to reschedule lost instructional time before requesting a reduction of the amount of instructional time under (g).

(c) A school may have a shortened day when an emergency condition exists which might adversely affect the health and safety of students, provided that the number of hours of instructional time originally planned for the day shall be credited to the number of hours of instructional time in the school year, if:

(1) On that day, the school would normally have had at least 5.25 hours of instructional time; and

(2) The school remained open for at least 3.5 hours of instructional time. ([N.H. Code Admin. R. Ed 401.03](#))

Curriculum: According to the New Hampshire Office of Nonpublic Schools, “Nonpublic schools have a breadth of freedom in designing a curriculum. There are, however, a couple parameters that the schools are required to follow. Pursuant to [RSA 189:11](#), nonpublic schools are required to provide courses in the history, government and constitutions of the United States and New Hampshire, including the organization and operation of New Hampshire municipal, county and state government and of the federal government. The instruction must begin no later than eighth grade and continue in high school as an identifiable component of a year's course in the history and government of the United States and New Hampshire. Pursuant to [RSA 189:19](#), the English language must be used exclusively in nonpublic schools for instruction and general administration. Bilingual education programs are permitted with the approval of the Board of Education and the local school district. In addition, [RSA 189:21](#) states that devotional exercises in private schools may be conducted in a language other than English.” ([NH DoE – Office of Nonpublic Schools Guide](#))

Health and Safety Requirements: According to the New Hampshire Office of Nonpublic Schools, “The education facility’s Fire and Life Safety is part of the NH DOE’s approval process. Pursuant to RSA 153:14, every fire chief must inspect each of their private and public schools within their jurisdiction once per year. Every building on a school’s campus must be inspected and its address included on the report. A report must be provided to the DOE prior to the opening of the school and each renewal year thereafter. Items such as a means of egress, emergency planning, and operating features are examined in the report.

“A School Health Inspection form provided by the Bureau of School Safety and Facility Management and available on our website is the fourth facility document required by the DOE prior to a school opening. The health inspection must be performed by the health official of the town, not a school employee. A list of municipal health officers and their contact information can be found on our website, and you may also inquire with your town hall. This inspection is part of the approval review to ensure that school facilities are meeting minimum standards pursuant to Ed 403.01(c). It is helpful to provide the inspector with a

map of the school showing room numbers and special areas such as the gym, cafeteria, offices, and library. Sanitation conditions of restrooms, food preparation areas, septic systems, and environment hazards are among the items inspected. Pursuant to RSA 189:64, every school is required to develop a site-specific school emergency response plan and to upload the plan to the Homeland Security and Emergency Management portal by September 1 of each year. ([NH DoE – Office of Nonpublic Schools Guide](#))

Teacher Certification: No publicly available information.

Testing: Each nonpublic school shall complete and submit “General Statistics of Nonpublic Schools”, Form A3N, revised 04/2018, as described in this section with statistics as of the last day of school of the year of filing. Each nonpublic school shall complete and submit “Private Fall Enrollments and Staffing”, Form A12C, revised 07/2018, as of October 1 of the reporting year.

Transportation: No publicly available information.

Recordkeeping and Reports: Each non-public school shall permanently maintain individual student records that include:

(1) Pupil registers as required by RSA 189:27-a that include the following information:

- a. Name;
- b. Sex;
- c. Date of birth;
- d. Place of birth;
- e. Town of legal residence; and
- f. Parent/guardian contact information;

(2) Transcripts of academic performance; and

(3) Record of award of high school diploma including the date of award.

(b) In the event of a school closing or termination of operations, the school shall notify the department where student records shall be maintained permanently, or the school shall deposit these records with the department.

(c) Records shall be maintained in a format determined by the school.

Reimbursement for Performing State and Local Functions: No publicly available information.

Virtual/Online Schools

<https://www.ecs.org/wp-content/uploads/Virtual-School-Policies.pdf>

According to the Education Commission of the States,

“New Hampshire addressed funding through H.B. 517 (2017) defines full-time enrolled pupils as students accepted by the Virtual Learning Academy Charter School on a full-time basis, and defines full-time equivalent students as students that have completed 12 half-credit courses. The bill also amends the funding formula for the VLACS, providing a grant of \$2,036 for each full-time enrolled pupil and an

additional grant of \$2,036 for each full-time equivalent pupil, according to VLAC's average daily membership in attendance." ([Education Commission of the States](#))

New Jersey

Private schools in New Jersey need to register with the state, but they do not need to be accredited, approved, or licensed by it. The state does not place requirements around the length of the school year and has minimal curricular requirements. Teachers do not need to be certified.

New Jersey Revised Statutes: <https://law.justia.com/codes/new-jersey/2022/title-18a/> (updated 2022)

Official Site of the State of New Jersey – Nonpublic School Services FAQs:
https://www.nj.gov/education/nonpublic/faqs/#open_np

Private School Regulations

Registration: Required. According to the US Department of Education, “Per the New Jersey Department of Education (NJDOE), only if the school is registered will the school's eligible students receive state funded services, which include:

- Auxiliary and Handicapped Services for Nonpublic Schools (Chapters 192 and 193), New Jersey Revised Statutes (N.J. Rev. Stat.) §18A:46A-1 et seq. and §18A:46-19.1 et seq.
- Basic nursing services, N.J. Rev. Stat. §18A:40-23.
- Textbooks, N.J. Rev. Stat. §18A:58-37.3.
- Technology, authorized by language in the state's FY 2016 Appropriations Act.
- Security aid, authorized by language in the state's FY 2016 Appropriations Act.

A nonpublic school must register as a business in order to operate per NJDOE policy.” ([New Jersey State Regulations](#))

State Accreditation: According to the New Jersey Department of Education, “The NJDOE does not accredit nonpublic schools. Nonpublic schools do not need accreditation to be recognized by the state of New Jersey. Accreditation is optional and would be provided through an independent accreditation agency.” ([NJ Nonpublic School Services](#))

State Approval: No known requirements. ([New Jersey State Regulations](#))

State Licensing: No known requirements. ([New Jersey State Regulations](#))

Non-Profit or For-Profit: Either, according to the New Jersey Department of Education, “for profit nonpublic schools are not eligible for transportation services (state funded) and the following federal programs: IDEA, Title I, Title IIA and Title III.” ([NJ Nonpublic School Services](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the US Department of Education, “The compulsory education law requires attendance at a public school or a day school in which there is given instruction equivalent to that provided in the public schools for children of similar grades and attainments. N.J. Rev. Stat. §18A:38-25.” ([New Jersey State Regulations](#))

Length of School Year and Day: No state policy currently exists. ([New Jersey State Regulations](#))

Curriculum: According to the US Department of Education, “Private schools must provide regular courses of instruction in the constitution of the United States from the seventh grade through high school. N.J. Rev. Stat. §18A:6-3.

Private schools must provide regular courses of instruction in accident and fire prevention. N.J. Rev. Stat. §18A:6-2.

An educational services commission may enter into contracts to provide educational services and programs to nonpublic schools. N.J. Rev. Stat. §18A:6-63.

The local boards of education have a duty to loan educational materials developed by the commissioner of education on the nature and effects of drugs, alcohol, anabolic steroids, tobacco and controlled dangerous substances to pupils attending nonpublic schools. N.J. Rev. Stat. §18A:40A-5.

The New Jersey Commission on Holocaust Education provides assistance and advice to private schools on the implementation of Holocaust education and awareness programs. N.J. Rev. Stat. §18A:4A-3.

Private secondary school students are eligible to participate in a legislative internship program operated in cooperation with the New Jersey Association of High School Councils. N.J. Rev. Stat. §52:13G-2.

A local education agency will establish information and resource centers that will provide the following services: "a lending library of educational and instructional materials; preparation of media and materials for informational and instructional purposes; an educational information storage and retrieval system; special topic seminars and conferences; and consultant advice, information and expertise." N.J. Rev. Stat. §18A:6-95.1.” ([New Jersey State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “Private schools must ensure compliance with the State Sanitary Code governing immunizations required for attending school. N.J. Rev. Stat. §26:1A-9.

A child is exempt from pertussis (whooping cough) vaccine as a condition for admission to a private school if the child's physician states in writing that the vaccine is medically contraindicated. N.J. Rev. Stat. §26:2N-4.

Private schools may close due to an epidemic. N.J. Rev. Stat. §26:4-5.

The administrator of a nonpublic school must develop a policy governing the emergency administration of epinephrine via an auto-injector to a pupil for anaphylaxis. This includes having a supply of auto-injectors prescribed by a licensed physician or advanced practice nurse to be administered by a school nurse or trained personnel to a student without a known history of anaphylaxis when it is believed the student is having an anaphylactic reaction. New Jersey can provide funds for this policy to nonpublic schools to encourage compliance. N.J. Rev. Stat. §§18A:40-12.5–18A:40-12.6, and 18A:40-12.6e.

Each nonpublic school must have and maintain for the use of pupils at least one nebulizer in the office of the school nurse or a similar accessible location. N.J. Rev. Stat. §18A:40-12.7.

Each nonpublic school must have and maintain an automated external defibrillator (AED). The AED must be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place. A staff member trained in cardiopulmonary resuscitation and the use of the AED must be present during each athletic event or team practice. N.J. Rev. Stat. §18A:40-41a.

Each nonpublic school must distribute a pamphlet on sudden cardiac arrest from the commissioner of education to the parents or guardians of students participating in athletic activities. The parents or guardians, and students must sign a form acknowledging a review of the pamphlet each year. N.J. Rev. Stat. §18A:40-41.

A physical exam using a pre-participation physical evaluation form is required for student-athletes who participate in interscholastic or intramural athletics and cheerleading, N.J. Rev. Stat. §18A:40-41.7.

Nonpublic schools must distribute annually to parents or guardians an educational fact sheet on sports-related eye injuries, N.J. Rev. Stat. §18A:40-41.9.

Schools of two or more rooms or of one room located on a second floor or higher, must have at least one fire drill and one security drill each month, including the summer if the school is providing instruction during that time. If provided, fire escapes must be used during the drill. Teachers must keep all doors and exits of their rooms and buildings unlocked during the school hours. N.J. Rev. Stat. §18A:41-1.

Schools having a furnace room, hallway, or stair-tower fire or smoke doors must keep them closed when the building is occupied. N.J. Rev. Stat. §18A:41-2.

Nonpublic schools may require applicants for positions involving regular contact with pupils to have a criminal history record check for information that would disqualify the individual for employment. N.J. Rev. Stat. §18A:6-4.13.

Substitute employees rehired annually at nonpublic schools that require a criminal history record check need only undergo a record check upon initial employment. N.J. Rev. Stat. §18A:6-4.17.

Any private school personnel, who in good faith, reports a person, including pupils, in an attempt to help cure his or her dependency on a controlled substance will not be liable for civil damages. N.J. Rev. Stat. §§2A:62A-4 and 18A:40A-14.

School bus drivers used by private schools for transportation to and from school must submit to a medical exam for the presence of alcohol, narcotics or habit-producing drugs. N.J. Rev. Stat. §39:3-10.1a.

Employees of private schools are prohibited from inflicting corporal punishment upon a pupil attending school. However, employees may use reasonable and necessary force to quell a disturbance or a threat of physical injury to others, to obtain a weapon from a student, for self-defense, and for the protection of persons or property. N.J. Rev. Stat. §18A:6-1.

Teacher Certification: No state policy currently exists. ([New Jersey State Regulations](#))

Testing: No state policy currently exists. ([New Jersey State Regulations](#))

Transportation: According to the US Department of Education, “The New Jersey Constitution declares that the state legislature may, within a reasonable distance, provide student transportation (ages 5–18) to and from any school. New Jersey Constitution Art. 8, 4, par. 3.

Pupils attending nonprofit, nonpublic schools not more than 20 miles from their residence are entitled to transportation if the school district provides transportation for public school pupils. If the cost of the transportation exceeds a set amount (\$884 for FY 2016) or the amount determined for subsequent years pursuant to N.J. Rev. Stat §18A:39-1a, the allocation will be given to the parent/guardian toward the cost of the transportation. N.J. Rev. Stat. §18A:39-1.

The governing body of a nonpublic school may authorize qualified personnel or parents to transport school children to related school activities in a private vehicle with a capacity of eight people or less. The transportation will be exempt from any additional requirements imposed on the transportation of pupils by school bus. N.J. Rev. Stat. §18A:39-20.1.” ([New Jersey State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “Private schools must annually report statistics relating to the conduct of the institution as required by the commissioner on or before August 1. No private schools may be required to report expenses or finances; nor shall any such report prepared by the school be made public. N.J. Rev. Stat. §18A-6-4.

The Office of Student Assistance prepares an annual report listing all sources of financial assistance available to New Jersey students attending any institution of higher education. The report is distributed to each private secondary school in the state. N.J. Rev. Stat. §§18A:3-14.1 and 18A:3-14.2.

Private school officials must provide a voter registration form and related nonpartisan materials to each eligible high school pupil in conjunction with the voter registration drive. N.J. Rev. Stat. §18A:36-27.” ([New Jersey State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([New Jersey State Regulations](#))

New Mexico

Private schools in New Mexico do not need to be registered, accredited, approved, or licensed by the state. The state places minimal requirements on both the length of the school year and the curriculum offered by the school. Teachers do not need to be certified.

U.S. Department of Education (DoE) – New Mexico State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/newmexico.html>

New Mexico Public Education Department – Private Schools:

<https://webnew.ped.state.nm.us/bureaus/instructional-materials/private-schools/>

New Mexico Public Education Department – Nonpublic Schools:

<https://webnew.ped.state.nm.us/bureaus/options-parents-families/non-public-schools/>

Justia US Law – NM Statutes Chapter 22-12-2: <https://law.justia.com/codes/new-mexico/2018/chapter-22/article-12/section-22-12-2/>

Private School Regulations

Registration: No known requirements. ([New Mexico State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “The New Mexico Public Education Department (public education department) has a duty to assess and evaluate private schools that desire state accreditation and to prescribe courses of instruction, graduation requirements, and standards for private schools seeking state accreditation. New Mexico Statute (NMSA 1978) 22-2-2 D, G. A nonpublic school will be considered accredited by the public education department if this action is undertaken by one of the following agencies: Adventist Accrediting Association of Schools; Colleges and Universities; Association of Christian Schools International; Association of Christian Teachers and Schools; Christian Schools International; International Christian Accrediting Association; Independent Schools Association of the Southwest; National Association for the Education of Young Children; National Lutheran Schools Association; New Mexico North Central Association; or Navajo North Central Association. 6.81.2.7 and 6.81.2.8(A) New Mexico Administrative Code (NMAC).

The public education department is authorized to monitor the operation of a nonpublic school seeking and/or holding a public education department accreditation. 6.81.2.8(C) NMAC.” ([New Mexico State Regulations](#))

State Approval: No known requirements. ([New Mexico State Regulations](#))

State Licensing: No known requirements. ([New Mexico State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Except as otherwise provided, a school-age person shall attend public school, private school, home school or a state institution until the school-age person is at least eighteen years of age unless that person has graduated from high school or received a high school equivalency credential. A

parent may give written, signed permission for the school-age person to leave school in case of hardship approved by the local superintendent.

A school-age person subject to the provisions of the Compulsory School Attendance Law shall attend school for at least the length of time of the school year that is established in the school district in which the person is a resident or the state-chartered charter school in which the person is enrolled and the school district or state-chartered charter school shall not excuse a student from attending school except as provided in that law or for parent-authorized medical reasons.

Any parent of a school-age person subject to the provisions of the Compulsory School Attendance Law is responsible for the school attendance of that person.

Each local school board and each governing body of a charter school or private school shall enforce the provisions of the Compulsory School Attendance Law for students enrolled in their respective schools. ([NM Stat § 22-12-2 \(2018\)](#))

Length of School Year and Day: According to the US Department of Education, “Persons subject to the Compulsory School Attendance Law must attend school for at least the length of time of the school year that is established in the school district in which the person is a resident. NMSA 1978, §22-12-2.” ([New Mexico State Regulations](#)) *Though this regulation is a responsibility of parents and caregivers, private schools must ensure that they are offering the required day and school year lengths.*

Curriculum: According to the US Department of Education, “The public education department regulates minimum standards for approved driver-education and motorcycle driver-education courses. NMSA 1978, §22-13-12.

The public education department's authority to approve courses of instruction in private schools does not extend to supervision, control, or management over private schools. *Santa Fe Community School v. State Bd. of Education*, N.M. Sup. Ct. R. 518 P.2d 272, 1974.

A nonpublic school may enter into a contract with its resident school district. The contract will allow its students to participate in the statewide cyber academy. NMSA 1978, §22-30-6.” ([New Mexico State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “No person with a communicable disease in a transmissible state dangerous to the health of students may be employed in a private school. Private school employees, including bus drivers, must present upon employment a certificate from a licensed physician stating that the person is free from communicable diseases. NMSA 1978, §22-10A-34 A and C.

Children attending private or parochial schools are required to be immunized according to rules and regulations promulgated by the health services division of the health and environment department, unless exempt due to medical contraindications or religious beliefs. NMSA 1978, §§24-5-1 and 24-5-3.

The health services division of the health and environment department must maintain a program to educate the general public, including private school students, on the nature and inheritance of sickle cell anemia. NMSA 1978, §24-3-1.

Private schools are required to conduct at least one fire drill each week during the first four weeks of the school year, and at least once each month thereafter, for the remainder of the school year. Two drills must be shelter-in-place drills, one must be an evacuation drill, and the remainder must be fire drills. If a paid

fire department is maintained in the area, a member of the department must be asked to attend to give instruction and constructive criticism. NMSA 1978, §22-13-14.

It is a misdemeanor to willfully interfere with the educational process of any private school by an act that would disrupt the functioning of the school. NMSA 1978, §30-20-13.

Private schools must cooperate with any law enforcement agency investigating a missing person report. NMSA 1978, §29-15-10.

[\(New Mexico State Regulations\)](#)

Teacher Certification: No state policy currently exists. [\(New Mexico State Regulations\)](#)

Testing: No state policy currently exists. [\(New Mexico State Regulations\)](#)

Transportation: No state policy currently exists. [\(New Mexico State Regulations\)](#)

Recordkeeping and Reports: According to the US Department of Education, “The public education department is under a statutory duty to require periodic attendance reports from private schools on forms prescribed. NMSA 1978, §22-2-2 I.

The governing authority of a private school is responsible for initiating the enforcement of the Compulsory School Attendance Law for its enrolled students. The private school must give written notice of noncompliance by certified mail or personal service on the parent and/or guardian. If violations continue after written notice, the student must be reported to the probation services office of the judicial district where the student resides for an investigation. NMSA 1978, §22-12-7.

The school superintendent of a private or parochial school must prepare a record showing the immunization status of every child enrolled in a school under his or her jurisdiction. The record must be current and available to the public health authorities. The superintendent must report the name of any parent and/or guardian neglecting to immunize his child to the director of the health services division of the health and environment department. NMSA 1978, §24-5-4.” [\(New Mexico State Regulations\)](#)

Reimbursement for Performing State and Local Functions: No state policy currently exists. [\(New Mexico State Regulations\)](#)

New York

Private schools in New York do not need to be registered, accredited, approved, or licensed, but only registered schools can issue diplomas and administer Regents Exams. The state requires private schools to offer an education that is “substantially equivalent” in both length and in content, though there is disagreement as to what that term means in practice. Teachers in private schools do not need to be certified.

U.S. Department of Education (DoE) – New York State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/newyork.html> (updated October 2015)

New York State Education Department – State Requirements and Programs (Equivalency of Instructions):

<https://www.p12.nysed.gov/nonpub/manualfornewadministratorsofnps/statereqs.html#:~:text=The%20compulsory%20attendance%20law%20in,a%20public%20school%20or%20elsewhere.>

Private School Regulations

Registration: Optional. According to the US Department of Education, “The commissioner of education governs the registration of nonpublic high schools. 8 Codes, Rules and Regulations of the State of New York (CRR-NY) §13.1.

Nonpublic schools are permitted to register. Only registered nonpublic high schools may issue diplomas and administer Regents Examinations. 8 CCR-NY 100.2(p).

A nonpublic school may be registered as a nursery school and/or kindergarten. Change in ownership nullifies the registration. 8 CCR-NY 125.10. Requirements for those schools are found in 8 CCR-NY Part 125.

Registration may be placed under review when students in a registered nonpublic school scores are below the criteria list in 8 CCR-NY 100.2(p)(13).

A nonpublic school must submit information and allow an on-site visit to the school by a staff member in the New York State Education Department's Bureau of School Registration in order to register with the Board of Regents per New York State Education Department Manual for New Administrators of Nonpublic Schools, State Requirements and Programs.” ([New York State Regulations](#))

State Accreditation: No requirements. ([New York State Regulations](#))

State Licensing: No requirements. ([New York State Regulations](#))

State Recognition/Approval: Optional. According to the US Department of Education, “An entity seeking authorization or approval to operate a nonpublic school in New York State must incorporate in the following manner, depending on school type. A religious nonpublic school that is affiliated with a religious institution is considered incorporated under the auspices of the religious institution; a religious school that wishes to become independent may obtain a charter and have separate incorporation as an educational corporation, but this is not required. An independent school may be either not-for-profit or for-profit. An independent not-for-profit school must obtain a provisional charter from the Board of Regents, which serves as incorporation as an education corporation. An independent for-profit entity must

incorporate with the New York State Department of State after being approved by the education department through a commissioner's consent per New York State Education Department's website.” ([New York State Regulations](#))

Non-Profit or For-Profit: According to the US Department of Education, “An independent school may be either not-for-profit or for-profit. An independent not-for-profit school must obtain a provisional charter from the Board of Regents, which serves as incorporation as an education corporation. An independent for-profit entity must incorporate with the New York State Department of State after being approved by the education department through a commissioner's consent per New York State Education Department's website.” ([New York State Regulations](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the New York Department of Education “The compulsory attendance law in New York State requires that all children between the ages of six and sixteen be provided with a program of instruction, either at a public school or elsewhere.” ([NY Substantial Equivalency of Instruction in Nonpublic Schools](#))

Length of School Year and Day: According to the US Department of Education, “Unless shorter instruction time has been approved by school authorities as substantially equivalent in amount and quality, students attending nonpublic schools must attend for at least as many hours as required in public schools. In addition, permitted absences must follow the general rules and practices of the public schools. Absence for religious observances and education are permitted under rules established by the commissioner. Holidays and vacations must not exceed the amount allowed by public schools. N.Y. Edn. Law §3210.2.

A full-time day school must be in session for not less than 190 days each year, inclusive of legal holidays during the term and exclusive of Saturdays. Accounting for the 10 state public holidays, schools must be session 180 days. N.Y. Edn. Law §3204.4.

Nonpublic schools receiving state aid must have a minimum of 2 1/2 instructional hours for half-day kindergarten, five instructional hours for full-day kindergarten and grades one through six, and 5 1/2 instructional hours for grades seven through 12. 8 CCR-NY 175.5.” ([New York State Regulations](#))

Curriculum: According to the US Department of Education, “Instruction given to a minor elsewhere than in a public school must be substantially equivalent to the instruction given at the local public school. N.Y. Edn. Law §3204.2.

The course of study for the first eight years of public school must include arithmetic, reading, spelling, writing, the English language, geography, United States history, civics, hygiene, physical training, the history of New York state, and science. Beyond the first eight years, instruction must include the English language and its use, civics, hygiene, physical training, American history including the Declaration of Independence and the Constitution of the United States, and may include a course in communism and its methods and its destructive effects. N.Y. Edn. Law §3204.3.

English is the language of instruction, and textbooks used must be written in English, except for a limited time (3 to 6 years) for students with limited English proficiency. N.Y. Edn. Law §3204.2.

As part of health education, all schools must provide instruction to discourage the misuse and abuse of alcohol, tobacco, and other drugs; and promote attitudes and behavior that enhance health, well-being, and human dignity. N.Y. Edn. Law §804.

Students may be excused from health and hygiene if it conflicts with their parent or guardian's religion and is certified by a representative of their religion. N.Y. Edn. Law §3204.5.

Private schools offering instruction deemed substantially equivalent to public schools must offer courses of instruction in patriotism, citizenship, and human rights issues (with particular attention to the study of the inhumanity of genocide, slavery, and the Holocaust) for students over 8 years old, and instruction in the Constitution of the United States and New York and the Declaration of Independence for students in grades eight through 12. N.Y. Edn. Law §801.1, 2.

Similar physical education courses to those required of public schools shall be prescribed and maintained in private schools in the state, and all pupils in grades kindergarten through 12 shall attend such courses. 8 CCR-NY 135.4.

Private and parochial schools must provide instruction in fire and arson prevention as prescribed by the commissioner of education. Instruction must be given at least 45 minutes every month while school is in session. N.Y. Edn. Law §808.

Private schools offering instruction deemed substantially equivalent to public schools must offer instruction in highway safety and traffic regulations, including bicycle safety. N.Y. Edn. Law §806.1.

The New York State Theatre Institute offers guidance and consultation on arts and education programs in private elementary and secondary schools. New York Arts and Cultural Affairs Law (N.Y. Arts & Cult. Aff. Law) §9.07.

A registered nonpublic school operating prekindergarten and/or kindergarten programs must adopt and implement curricula aligned with the state learning standards that provides continuity to the instruction of early elementary grades and through grade 12. Information on the standards to be included can be found in 8 CRR-NY 100.3.” ([New York State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “Students attending private schools must have certificates of immunization unless a physician certifies that the immunization is detrimental or if immunization is contrary to the genuine and sincere religious beliefs of the parents or guardians. School principals may not admit students in excess of 14 days who do not have a certificate. (The period may be extended to 30 days if plans for the immunization are in progress.) School principals have a duty to inform parents or guardians of the necessity of immunization and the availability of free immunizations through the local health officer. If students are excluded from school for lack of immunization, principals must notify the local health authority and the parents or guardians and provide an opportunity for immunization through the local health authority if the parent consents. New York Public Health Law (N.Y. Pub. Health Law) §2164.

Smoking is prohibited in all private schools and on school grounds, with an exception for adult faculty and staff members, who may be permitted to smoke in designated areas during non-school hours. (School hours include periods when any student activity or any officially sanctioned school event is supervised by faculty or staff.) N.Y. Pub. Health Law §1399-o.

Private school authorities may ask students to be examined for drug abuse and submit to a urine analysis upon written consent of the parents. N.Y. Edn. Law §912-a.

Private school administrators have a duty to train pupils to exit the building in a sudden emergency. Fire drills must be conducted at least 12 times each school year; eight of the drills must be held between September 1 and December 1; one-third of the drills should use fire escapes on buildings if provided; and at least one drill should instruct students how to leave the building during lunch period. With regard to boarding schools and summer programs, additional drills are prescribed in N.Y. Edn. Law §807. An administrator failing to comply with this provision is guilty of a misdemeanor. N.Y. Edn. Law §807.

Private schools must submit the most current plan and specification of their school building to the local fire and law enforcement officials. N.Y. Edn. Law §408-b.

Administrators of private schools (i.e. those with a kindergarten with six or more pupils and establishments other than public schools with 25 or more pupils) must have the school buildings inspected annually for fire hazards. Inspections must be conducted prior to December 1, and a report must be filed with the state fire administrator on forms provided by the commissioner of education. The provision is inapplicable for school authorities in New York City, Buffalo, Rochester, Syracuse, and Yonkers. N.Y. Edn. Law §807-a.

Private and parochial schools must have a pesticide notification procedure for staff and parents or guardians if pesticide application occurs on school grounds. If parents or guardians wish, they can register with the school to receive notification 48 hours prior to application. The schools must also provide the staff and parents or guardians with an accounting of pesticide applications during the year within 10 days of the end of the school year and within two days of the end of winter and spring recess. N.Y. Edn. Law §409-h.

Administrators of private schools must arrange for every participant in shop or laboratory classes involving dangerous activities, as specified, to wear eye safety devices in accordance with state regulations. N.Y. Edn. Law §409-a.

Nonpublic school administrators must require that batboys and bat girls participating in baseball and softball competitions wear protective headgear when on the field and the game is in play. N.Y. Edn. Law §409-c.

In New York City, smoking or using electronic cigarettes is prohibited on school grounds of private schools. NYC Admin Code §17-503.

[\(New York State Regulations\)](#)

Teacher Certification: According to the US Department of Education, “Instruction may only be given by a competent teacher. New York Education Law (N.Y. Edn. Law) §3204.2.

All professional instructional and supervisory personnel at private schools providing public placements for children with disabilities must be appropriately certified. 8 CCR-NY 200.7(b)(6).

Coaches of high school extra-class nonpublic school athletic activities must meet and stay current in training requirements in first aid and adult cardiopulmonary resuscitation. N.Y. Edn. Law §3001-c.

The department of education has established a teacher career recruitment clearinghouse, which provides nonpublic schools with (1) an applicant database; (2) information regarding financial assistance for students interested in careers in education or employment opportunities in education; and (3) information about certification and licensure requirements. N.Y. Edn. Law §3034.” [\(New York State Regulations\)](#)

Testing: According to the US Department of Education, “Students at a registered nonpublic high school are eligible to receive a Regents Diploma or a local diploma if they complete the curriculum described in 8 CCR-NY 100.5.

Alternative testing can be used for students determined by the committee on special education as having a handicapping condition or students whose native language is other than English, with restrictions concerning the Regents Competency Tests in reading and writing. Nonpublic schools must report the use of alternative testing procedures to the New York State Department of Education. 8 CCR-NY 100.2 (g).

A nonpublic school, not including a registered high school, will be placed under department review when the school scores below one or more of the review criteria discussed in 8 CCR-NY 100.2(p). These criteria include results of assessments. 8 CCR-NY 100.2 (z).” ([New York State Regulations](#))

Transportation: According to the US Department of Education, “The New York Constitution allows the state legislature to provide transportation for students to and from private schools. New York Constitution Art. XI, Sec. 3.

Non-city school districts are required to provide transportation for students living up to 15 miles from their school. Transportation is provided for all children residing within the school district who are in need (students in kindergarten through grade eight residing more than 2 miles from school and those in grades nine through 12 residing more than 3 miles from school. City school districts are not generally required to provide transportation; but if provided, transportation must be offered equally to all children in like circumstances. Transportation from centralized pickup points at public schools may be provided to pupils attending nonpublic schools under certain circumstances. Superintendents of cities in excess of 1 million must notify nonpublic school officials who have requested transportation of the school calendar for the following year by June 1. N.Y. Edn. Law §3635.1.a-c; 2-a.

The commissioner of transportation has authority to regulate for safety all motor vehicles transporting passengers to and from schools, for hire, or owned and/or operated by any private school. N.Y. Transp. Law §140.2.a.(i).

Nonpublic school vehicle operators may apply for reimbursement of the motor vehicle tax expended exclusively in education-related activities. N.Y. Tax Law §289-c.3.e.” ([New York State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “The commissioner of education is under a statutory duty to establish procedures for a statewide system of assigning unique student identification numbers for all students in public and nonpublic schools for student tracking and state reporting purposes. N.Y. Edn. Law §305.22.

Teachers are required to keep an accurate record of attendance as prescribed by the commissioner of education. Principals must ensure attendance records are maintained and produced if requested by school authorities. The principal must notify school authorities in writing of any student transfers or discharges. Additionally, the nonpublic school must have a comprehensive attendance policy as elaborated in 8 CCR-NY 104.1 (i). 8 CCR-NY §104.1 and N.Y. Edn. Law §3211.

Nonpublic schools that are members of the University of the State of New York must complete verified reports as prescribed by the regents or the commissioner of Education. N.Y. Edn. Law §215. In addition, these schools must provide information to the regents for their annual report to the governor and the legislature concerning the schools of the state. N.Y. Edn. Law §215-a.

Nonpublic schools must maintain individual pupil records. If a nonpublic school discontinues operation, it must notify the commissioner and the chief school administrator in the district where the school is located. If the pupil academic records are not transferred to another school or agency, the nonpublic school that has discontinued its operation must transfer the records to the school district in which the school is located, and the chief school administrator will be responsible for permanently maintaining such records. 8 CCR-NY 104.2.

Nonpublic schools must provide a comprehensive assessment report for the three school years prior to the reporting school year. The report must include student test data, student enrollment, data on diplomas and certificates, information on the number of students transferred to alternative high schools, high school equivalency preparation programs as described in 8 CCR-NY 100.7, and additional information the chief administrative office of the nonpublic school finds relevant or the commissioner requests. 8 CCR-NY 100.2 (m)(5).” ([New York State Regulations](#))

Reimbursement for Performing State and Local Functions: According to the US Department of Education,” The state commissioner of education annually apportions to qualifying schools (nonprofit, nonpublic schools providing instruction in accordance with N.Y. Edn. Law §3204) the actual cost incurred by each school for compliance with state requirements of the pupil evaluation program, basic educational data systems, Regents Examinations, the statewide evaluation plan, uniform procedures for pupil attendance reporting, and other similar state-prepared examinations and reporting procedures. 1974 N.Y. Laws, chapter 507, as amended by chapter 508. The current list of mandated actions that are eligible for reimbursement is found here.” ([New York State Regulations](#))

North Carolina

Private schools in North Carolina do not need to be registered, accredited, approved, or licensed. There are minimal requirements related to the school year and no requirements related to a private school's curriculum. Teachers do not need to be certified.

NC Department of Education Private School Grade K-12 School Requirements:

<https://ncadmin.nc.gov/divisions/non-public-education/private-schools/school-requirements>

Nonpublic Schools:

https://www.ncleg.gov/enactedlegislation/statutes/html/byarticle/chapter_115c/article_39.html

North Carolina Department of Administration (NCDOA) – Private School Grade K-12 School Requirements: <https://ncadmin.nc.gov/divisions/non-public-education/private-schools/school-requirements>

Private School Regulations

Registration: No publicly available information.

State Accreditation: Voluntary. According to the North Carolina Department of Education, “Conventional North Carolina non-public schools may choose to earn accreditation from an accreditation agency.” ([NC Department of Education Private School Grade K-12 School Requirements](#))

State Approval: No publicly available information.

State Licensing: No publicly available information.

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Each qualified nonpublic school shall make, and maintain annual attendance and disease immunization records for each pupil enrolled and regularly attending classes. Attendance by a child at any school to which this Part relates and which complies with this Part shall satisfy the requirements of compulsory school attendance so long as the school operates on a regular schedule, excluding reasonable holidays and vacations, during at least nine calendar months of the year. §115C-556

Length of School Year and Day: According to the North Carolina Department of Education, schools must, “operate for a school term of at least nine calendar months on a regular schedule excluding reasonable holidays and vacations.” ([NCDOA](#))

Curriculum: The North Carolina Department of Education also states that, “Non-public schools may utilize whatever curriculum they wish.” ([NCDOA](#))

Health and Safety Requirements: Each school shall be subject to reasonable fire, health and safety inspections by State, county and municipal authorities as required by law.

The Division of Nonpublic Education, Department of Administration, shall ensure that materials are provided to each qualified nonpublic school so that the school can provide parents and guardians with

information about meningococcal meningitis and influenza and their vaccines at the beginning of every school year. This information may be provided electronically or on the Division's Web page. This information shall include the causes, symptoms, and how meningococcal meningitis and influenza are spread and the places where parents and guardians may obtain additional information and vaccinations for their children.

The Division of Nonpublic Education, Department of Administration, shall also ensure that materials are provided to each qualified nonpublic school so that the school can provide parents and guardians with information about cervical cancer, cervical dysplasia, human papillomavirus, and the vaccines available to prevent these diseases. This information may be provided electronically or on the Division's Web page. This information shall include the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and the places where parents and guardians may obtain additional information and vaccinations for their children.

The Division of Nonpublic Education, Department of Administration, shall also ensure that information is available to each qualified nonpublic school so that the school can provide information annually on the preventable risks for preterm birth in subsequent pregnancies, including induced abortion, smoking, alcohol consumption, the use of illicit drugs, and inadequate prenatal care.

The Division of Nonpublic Education, Department of Administration, shall also ensure that information is available to each qualified nonpublic school so that the school can provide information on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

Teacher Certification: No. According to the North Carolina Department of Education, “each individual non-public school establishes its own qualifications for its faculty and administrative staff.” ([NCDOA FAQ's](#))

Testing: Each qualified nonpublic school shall administer, at least once in each school year, a nationally standardized test or other nationally standardized equivalent measurement selected by the chief administrative officer of such school, to all students enrolled or regularly attending grades three, six and nine.

Transportation: According to the North Carolina Department of Education, “Non-public schools must obtain a US DOT license number for all privately owned buses. A vehicle is a bus if it is built to transport 11 or more persons including the driver.

It is a school bus if it is used to transport students to or from school or school-related events.

It is illegal to buy, sell or lease a new school bus that does not meet the federal motor vehicle safety standards applicable to school buses.” ([NCDOA Bus FAQ's](#))

Recordkeeping and Reports: [According to the North Carolina Department of Education,](#) “North Carolina non-public school laws do not speak to this except to require that the nationally standardized test result records for students enrolled in grades 3, 6, 9 and 11 be retained at the school office for one calendar year.

Therefore, each North Carolina non-public school chief administrator develops his/her own policies on the retaining of other student records. Most North Carolina non-public school student academic records

for grade K-8 levels are usually disposed of sometime after the student has successfully graduated from high school.

Academic records for grade 9-12 students who have graduated from the school are kept indefinitely. Originals of academic records for K-8 students transferring to another local conventional school are usually hand-delivered to them by a school staff member and signed for by a school official at the conventional school accepting them.” ([NC DOA FAQs](#))

Reimbursement for Performing State and Local Functions: No publicly available information.

North Dakota

Private schools in North Dakota must be approved by the state. North Dakota places regulations on both the length of the school year as well as the curriculum that schools must teach to students. Teachers must be certified as well.

U.S. Department of Education (DoE) – North Dakota State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/northdakota.html>

Private School Regulations

Registration: No requirements. ([North Dakota State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “The superintendent of public instruction may adopt rules governing the accreditation of nonpublic schools. Any rule adopted must include measures of student achievement and its improvement. *N.D. Cent. Code §15.1-02-11.*” ([North Dakota State Regulations](#))

State Approval: Mandatory. According to the US Department of Education, “The superintendent of public instruction must approve all nonpublic schools offering elementary or secondary education. *N.D. Cent. Code §15.1-06-06.*”

For those nonpublic schools that are not in compliance with the requirements for approval and do not then receive a certificate of approval, the superintendent of public instruction is to notify those nonpublic school students' parents that they may be in violation of the compulsory attendance requirements. *N.D. Cent. Code §15.1-06-06.1.*

The superintendent of public instruction may not approve a school unless each teacher is licensed or approved to teach by the education standards and practices board; teacher is teaching courses only in fields in which he or she is licensed or for which he or she has received an exception under section 15.1-09-57; students are offered all subjects required by law; the school is in compliance with all local and state health, fire, and safety laws; and the school has conducted criminal history record checks on employees who have unsupervised contact with children. *N.D. Cent. Code §§15.1-06-06 and 15.1-06-06.1.*

The superintendent of public instruction may approve a nonpublic secondary school with enrollment of fifty students or fewer if the school provides courses in all subjects required by law, complies with statutes regarding the length of the school year, and meets all health, fire, and safety standards. Curricular programs offered by schools that deliver courses by telecommunications or other electronic means must be prepared by individuals holding at least baccalaureate degrees and delivered by those with a North Dakota professional teaching license or who at least meet the average cutoff scores of states that have normed the national teacher's examination. The school must have at least one state-licensed high school teacher for each twenty-five students. *N.D. Cent. Code §15.1-06-07.*” ([North Dakota State Regulations](#))

State Licensing: No requirements. According to the US Department of Education, “Licensing of nonpublic pre-schools and day cares is done through North Dakota Department of Human Services.” ([North Dakota State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: No publicly available information.

Length of School Year and Day: According to the US Department of Education, “Elementary and secondary schools must provide for a school calendar of at least 182 days, which include one hundred seventy-five full days of instruction, three holidays, two parent-teacher conference days, and two days for professional development activities (which may be substituted by required or optional attendance at the North Dakota education association instructional conference). N.D. Cent. Code §15.1-06-04 (sections 3 and 6).

Attendance at a nonpublic school exempts students between the ages of seven and 16 from public education if the nonpublic school provides a school year that is for the same length of time as the calendar length of the public school year. N.D. Cent. Code §15.1-20-02(section 1).” ([North Dakota State Regulations](#))

Curriculum: According to the US Department of Education, “To be approved by the superintendent of public instruction, each public and nonpublic elementary and middle school shall provide students instruction in the following: English language arts, including reading, composition, creative writing, English grammar, and spelling; mathematics; social studies, including the United States Constitution, United States history, geography, government, and North Dakota studies, with an emphasis on the geography, history, and agriculture of the state, in grades 4 and 8; science, including agriculture; physical education; health, including physiology, hygiene, disease control, and the nature and effects of alcohol, tobacco, and narcotics. N.D. Cent. Code §15.1-21-01.

Course offerings for high school must include the following number of units of study: English language arts (four, including literature, composition and speech); mathematics (four, including one unit of algebra II and one unit for which algebra II is a prerequisite); science (four, including one of physical science and one of biology); social studies (four, including world history, United States history, and one unit of problems of democracy or one-half unit of United States government and one-half unit of economics); health (one-half), physical education (one-half each year, provided that once every four years the unit must be a concept-based personal fitness class that focuses on assessment, improvement, and maintenance); fine arts (two, including at least one in music); foreign or Native American language (two of the same language); advanced placement or dual-credit (one); and, career and technical education (two). Further, each public and nonpublic school must, at least once every two years, make available to each student one-half unit of North Dakota studies with an emphasis on the geography, history, and agriculture of the state. Each of the above-named units offered within a school's curriculum must meet or exceed state content standards. N.D. Cent. Code §15.1-21-02.

The minimum requirements for high school graduation are four units of English language arts, including literature, composition and speech; three units of mathematics; three units of science, including one of physical science and one of biology; three units of social studies, which may include combined half units of various topics; one unit of physical education, which may include a half unit of health; three units of a foreign or Native American language, fine arts, or career and technical education; and any five additional units. N.D. Cent. Code §15.1-21-02.2.

Beginning in the 2012-13 school year, nonpublic schools must address the risks associated with adolescent sexual activity and the benefits of abstinence in the sexual health portion of the health curriculum. N.D. Cent. Code §15.1-21-24.” ([North Dakota State Regulations](#))

Health and Safety Requirements: No publicly available information.

Teacher Certification: Teacher certification is mandatory.

According to the US Department of Education, “Elementary school (grades 1–6 or 1–8) teachers must be licensed or approved to teach by the education standards and practices board and have a major in elementary education or its equivalent. N.D. Cent. Code §15.1-18-07.

Middle school teachers (grades 5–8) must be licensed or approved to teach by the education standards and practices board and have a major in middle-level education with content in areas specific to the courses he or she is teaching or its equivalent. N.D. Cent. Code §15.1-18-08.

High school teachers (grades 7–12) must be licensed or approved to teach by the education standards and practices board and have a major in the areas taught by the individual or its equivalent. N.D. Cent. Code §15.1-18-09.” ([North Dakota State Regulations](#))

Testing: According to the US Department of Education, “Nonpublic school grade 11 students must take the ACT, including the writing test, or three WorkKeys assessments recommended by the career and technical education department and approved by the superintendent of instruction who is responsible for the cost of securing and then administering a student's one summative assessment decided upon by the student. N.D. Cent. Code §15.1-21-19.” ([North Dakota State Regulations](#))

Transportation: According to the US Department of Education, “Nonpublic school students may receive transportation to school on public school buses running on public school routes if authorized by the local school board, passenger room is available. N.D. Cent. Code §15.1-30-15.” ([North Dakota State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “The superintendent of public instruction is required by law to include information regarding the state's approved nonpublic schools in the annual report submitted by the end of February to the governor, legislative council, and the secretary of state. N.D. Cent. Code §15.1-02-09.

Students enrolled in nonpublic schools must be registered in their legal surname for all records regarding the students maintained by the school and in all communications requiring the use of a surname. N.D. Cent. Code §15.1-19-01.

Each nonpublic school must submit data regarding school attendance to the superintendent of public instruction. N.D. Cent. Code §15.1-20-03.1.

The school administrator for a nonpublic school must report to the superintendent of public instruction the number of 11th-grade students who took the ACT, including the writing test; the number who took the three WorkKeys assessments; and those that were exempted from these requirements along with the reason for each exemption. N.D. Cent. Code §15.1-21-19.

The superintendent of public instruction may examine the records of any nonpublic school upon request. N.D. Cent. Code §15.1-06-06.3.2.b.” ([North Dakota State Regulations](#))

Reimbursement for Performing State and Local Functions: There is no state policy at this time pertaining to reimbursement for performing state and local functions. ([North Dakota State Regulations](#))

Ohio

Ohio designates schools as both “chartered” and “non-chartered.” Around 600 schools operate as non-chartered and can only gain that designation due to what the state identifies as a truly held religious belief. Non chartered schools have requirements around the length of the school year, and general requirements for the curriculum that students should be taught. Teachers do not need to be licensed, but they do need to have a bachelor’s degree or equivalent. In chartered private schools, there is no requirement to be approved or licensed by the state, but there are requirements around the length of the school year, the method by which the curriculum must be drafted, and the certification of teachers.

Ohio Administrative Code (Dept. of Education): <https://codes.ohio.gov/ohio-administrative-code/3301>

Private School Regulations

Non-Chartered Private School

Definition: ([Rule 3301-35-08](#)) A school that is not chartered or seeking a charter from the state board of education because of truly held religious beliefs shall annually certify in a report to the parents of its pupils that the school meets Ohio minimum standards for non-chartered, non-tax supported schools cited in the following paragraphs of this rule.

School year. The school shall be open for instruction with pupils in attendance for not less than four hundred fifty-five hours in the case of pupils in kindergarten unless such pupils are provided all-day kindergarten, in which case the pupils shall be in attendance for nine hundred ten hours; nine hundred ten hours in the case of pupils in grades one through six; and one thousand one hours in the case of pupils in grades seven through twelve in each school year according to section [3313.48](#) of the Revised Code.

Pupil attendance. Pupil attendance shall be reported to facilitate administration of laws relating to compulsory education and the employment of minors. Parents shall be responsible for reporting their child’s school enrollment or withdrawal. An individual in charge of the non-chartered, non-tax supported school may, as a matter of convenience, provide the report for the parent.

(1) The attendance report shall include the name, age, and place of residence of each pupil below eighteen years of age.

(2) The report shall be made to the treasurer of the board of education of the city, exempted village, or local school district in which the pupil resides.

(3) The report shall be made within the first two weeks of the beginning of each school year. In the case of pupil withdrawal or entrance during the school year, notice shall be given to the treasurer of the appropriate board(s) of education. Such notice shall be given within the first week of the next school month.

Teacher and administrator qualifications. Teachers and administrators shall have received a bachelor’s degree or the equivalent thereof from a recognized college or university.

Courses of study. Each non-chartered, non-tax supported school shall have courses of study for the following subjects: language arts; geography, the history of United States and Ohio, and national, state, and local government; Mathematics; Science; Health; Physical education; The fine arts, including music;

First aid, safety, and fire prevention; Other subjects as prescribed by the non-chartered, non-tax supported school.

Pupil promotion. Each non-chartered, non-tax supported school shall follow regular procedures for promotion from grade to grade of pupils who have met the school's educational requirements.

Pupil health and safety. Each non-chartered, non-tax supported school shall comply with state and local health, fire, and safety laws.

Transportation: Pupils attending a non-chartered, non-tax supported school are not entitled to pupil transportation and pupils attending a non-chartered, non-tax supported school are not entitled to auxiliary services.

Reimbursement: A non-chartered, non-tax supported school is not entitled to nonpublic administrative cost reimbursement.

Chartered Private School

Registration: No requirements. ([Ohio State Regulations, 2015](#))

State Accreditation: No requirements. ([Ohio State Regulations, 2015](#))

State Approval: Voluntary. ([Rule 3301-39-03](#))

State Licensing: No requirements. ([Ohio State Regulations, 2015](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Effective beginning with the 2017-2018 school year, the board of education of each city, exempted village, local, joint vocational, and cooperative education school district and the governing board of each educational service center shall adopt a new or amended policy to guide employees of the school district or service center in addressing and ameliorating student absences. In developing the policy, the appropriate board shall consult with the judge of the juvenile court of the county or counties in which the district or service center is located, with the parents, guardians, or other persons having care of the pupils attending school in the district, and with appropriate state and local agencies. In the event that a child of compulsory school age is absent with a nonmedical excuse or without legitimate excuse from the public school the child is supposed to attend for thirty-eight or more hours in one school month, or sixty-five or more hours in a school year, the attendance officer of that school shall notify the child's parent, guardian, or custodian of the child's absences, in writing, within seven days after the date after the absence that triggered the notice requirement. ([Section 3321.191](#))

Length of School Year and Day: School districts, joint vocational school districts, and chartered nonpublic schools will be required to be open for instruction for a minimum of:

- 455 hours for students in half-day kindergarten;
- 910 hours for students in full-day kindergarten through Grade 6;
- 1,001 hours for students in Grades 7-12; and

- 910 hours for students enrolled in traditional school district online schools.

As part of the minimum hours, districts and schools may use:

- Up to two equivalent days for the purpose of individualized parent-teacher conferences and reporting periods;
- Up to two equivalent days for the purpose of professional meetings of teachers; and
- Morning and afternoon recess periods of no more than fifteen minutes each for students in Grades kindergarten through 6. ([Ohio DoE](#))

Curriculum: The school district or school shall implement a curriculum and instructional program that is characterized by systematic planning, articulation, and evaluation. The school district's curriculum shall be developed with input from and dialogue with parents, community members, and other stakeholders. ([Rule 3301-35-04 \(B\)](#))

Health and Safety Requirements: No publicly available information.

Teacher Certification: Credentialed and classified staff shall be recruited, employed, assigned, evaluated and provided professional development in accordance with state and federal law.

Except as otherwise provided in sections [3302.151](#), [3319.36](#), and [3319.361](#) of the Revised Code, each credentialed staff member shall hold the appropriate credentials for his/her assigned position prior to performing any activities or duties related to the assigned position. Copies of credentials appropriate to staff assignments shall be on file in the school district's or school's administrative office.

Except as otherwise provided in rules [3301-35-03](#), [3301-35-09](#), [3301-51-09](#), and [3301-51-15](#) of the Administrative Code, the ratio of teachers to students school district-wide shall be at least one full-time equivalent classroom teacher for each twenty-five students. ([Rule 3301-35-05 \(A\)](#))

Professional Development: ([Rule 3301-35-05\(A\(7\)\)](#)) Data shall be used to determine the amount and nature of professional development for credentialed staff and classified staff necessary to implement the school district's vision, mission, and strategic plan.

Testing: Each participating school shall administer the state tests to all students who are enrolled in grade nine for the first time before July 1, 2014 and who are not specifically excused in accordance with the Ohio Revised Code or the Administrative Code. ([Rule 3301-13-02](#))

Transportation: According to the US Department of Education, "Students in grades k through eight, who are enrolled in and attend nonpublic schools may be eligible for transportation from their public school district of residence, providing the distance to travel between the public school to which the student was assigned and the nonpublic school is within 30 minutes travel time by school bus, on a school day and during the hours a school bus would normally operate. Payment-in-lieu of transportation may be offered to the parent/guardian of students who are eligible for transportation but where the board of education for the public school district of residence has declared transportation to be impractical pursuant to ORC §3327.01.

School boards may provide students in grades nine through 12 transportation to and from nonpublic schools, but only if transportation is provided for students attending the public high school(s). The boards must provide transportation as requested for students with disabilities in accordance with standards adopted by the State Board of Education. Transportation is conditioned on the school's nondiscrimination

in the selection of pupils, faculty members, and employees based on race, color, religion or national origin. ORC §3327.01.

Transportation for students attending sectarian schools does not violate the Ohio constitutional provision prohibiting religious control over state school funds. *Honohan v. Holt*, 244 NE2d 537 (1968).

School districts may lease buses to nonpublic schools located within the district for school-related activities that would be approved to be offered by a public school. The cost must not exceed the costs of operating the buses. ORC §3327.13.” ([Ohio State Regulations](#))

Recordkeeping and Reports: No publicly available information.

Reimbursement for Performing State and Local Functions: A nonpublic school requesting administrative cost reimbursement shall maintain at least the records in support of a claim for reimbursement listed in [Rule 3301-40-03](#).

Oklahoma

Private schools in Oklahoma must be licensed by the state. The state places requirements both on the length of the school day and year and on the curriculum that schools must teach. Teachers must be certified.

Oklahoma Statutes (Title 70. Schools): <https://oksenate.gov/sites/default/files/2019-12/os70.pdf>

State Department of Education: https://oklahomarules.blob.core.windows.net/titlepdf/Title_210.pdf

Private School Regulations

Registration: No requirements.

State Accreditation: Optional. Private and parochial schools may be accredited and classified in like manner as public schools. In addition, a private accrediting association may be approved by the State Board of Education and have the authority to accredit schools within their association. ([210:35-33-1](#)) Nonpublic schools of the State differ widely in mission, structure, funding, and operation and no prescribed set of standards can be applied to all schools. However, the standards must be comparable with the State Board of Education's standards for public schools in terms of the applicable quality indicators. ([210:35-33-2](#))

State Approval: No requirements.

State Licensing: Required, it shall be unlawful to establish, conduct, operate or maintain a private school, to solicit or canvass for scholarships or tuition to a private school, or to offer a program of education or training unless a license granting state authorization to operate such school has been issued by the Board and is in effect. A private school shall be issued only one license, regardless of the number of locations operated by such school. [§70-21-103](#)

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: No publicly available information.

Length of School Year and Day: The minimum length of the school year will be one hundred eighty (180) days or one thousand eighty (1,080) hours, provided up to five (5) days or thirty (30) hours per school year may be used for attendance of professional meetings. A school district that adopts a 1,080 hours policy rather than a 180-day policy shall notify the State Board of Education prior to October 15 of the applicable school year, and provide a copy of the school calendar as approved by the district's board of education. Except as otherwise authorized by law, beginning with the 2021-2022 school year, school must be in session and classroom instruction offered for a minimum of one hundred sixty-five (165) days each school year in every public school. ([210:10-1-4\(a\)](#))

Criteria for an alternate school calendar authorization. Beginning with the 2021-2022 school year, a school district or charter school must meet the eligibility requirements below in order to request a waiver from the State Board of Education authorizing the district to implement a school year calendar for one or

more site(s) that includes fewer than one hundred sixty-five (165) days when school is in session and classroom instruction offered. ([210:10-1-4\(a\)](#))

Curriculum: The curriculum translates the school's statement of philosophy (and/or mission) and goals into learning objectives and activities. The core curriculum shall be designed to teach competencies for which students shall be tested. The curriculum shall be designed to prepare all students for employment and/or post secondary education. The school shall use varied measures to determine the extent to which individual students are achieving the goals and levels of competencies. The instructional program is designed to impart the knowledge and skills essential to function successfully in a democratic society. Instruction is based on the selection and implementation of activities which enable each student to achieve the goals and objectives of the curriculum. Curricular activities are learning activities within the instructional process that occur in an accredited course during the school day to assist students in achieving proficiency in the Oklahoma Academic Standards. The co-curricular activities are an integral part of instructional programs that are consistent with the Oklahoma Academic Standards and the stated goals and objectives of the various disciplines. To accomplish these stated goals and objectives, selected activities may be offered off campus as an extension of classroom instruction. Extracurricular activities enhance the educational process but are not essential to the achievement of proficiency in the Oklahoma Academic Standards. ([210:35-3-61](#) and [210:35-3-66](#))

Health and Safety Requirements: No publicly available information.

Teacher Certification: All professional personnel, with the exception of some instructors in Career Technology programs, shall hold a baccalaureate degree from an accredited institution, provide evidence of adequate professional education preparation, meet the certification standards of Oklahoma, and be assigned to teach in areas for which they are certified. ([210:35-3-86](#))

Testing: The principal, teachers, and parents/guardians shall be responsible for assessing the effectiveness of the curriculum and for planning improvement of the curriculum. ([210:35-3-68\(a\)](#))

Transportation: A student must reside one and one-half (1 ½) miles or more by commonly traveled road from the school attended to be considered transported. Students living less than one-and one-half miles from the school may be transported but shall not be counted as transported pupils on the Transportation Report for state aid purposes.

Transportation may be provided for early childhood and kindergarten students to and from school during the normally scheduled morning and afternoon bus operation. Districts may also provide additional transportation, at local expense, for either early childhood or kindergarten students at midday. However, the school district is not required to provide midday transportation to either early childhood or kindergarten students. Midday transportation for early childhood and kindergarten pupils shall not be recorded on the Transportation Report.

A legally transferred or tuition student residing outside of the school district's approved transportation area may be transported to the school provided the student meets the bus within the transporting district's approved transportation area. However, tuition students may not be counted as transported students on the Transportation Report.

Recordkeeping and Reports: Well-delineated policies and procedures for records and reports shall be developed and kept current. School districts may store all documents and information in student records either electronically or in paper format. ([210:35-3-48](#))

Reimbursement for Performing State and Local Functions: No publicly available information.

Oregon

Private schools in Oregon do not need to be registered, licensed, accredited, or approved by the state. The state requires that private schools provide an education in both length and content that is similar to those provided in public schools. Teachers do not need to be certified.

U.S. Department of Education (DoE) – Oregon State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/oregon.html> (updated January 2017)

Private School Regulations

Registration: According to the US Department of Education, “Only required for private alternative schools to receive public funds. A private alternative school is a private school "designed to best serve students' educational needs and interests and assist students in achieving the academic standards of ... the state." Oregon Revised Statutes (Or. Rev. Stat.) §336.615.

If a private alternative school is going to receive public school funds it must comply with the Private Alternative Education Standards established by the Oregon State Board of Education. Each school must register with the Oregon Department of Education annually by March 31. Each school must have a mission statement that clearly identifies the student population to be served and articulates the unique education option provided by the program; an education plan, which outlines program goals and strategies in the following areas: student equity, academic achievement, social skills development, and successful transitions to further education and training; a requirement for all staff of reference and criminal background checks and regular evaluations; and an instructional program that is aligned with state content and performance standards. Oregon Administration Rules (Or. Admin. Rules) §581-021-0072.” ([Oregon State Regulations](#))

State Accreditation: No accreditation requirements. ([Oregon State Regulations](#))

State Approval: According to the US Department of Education, “Required for public placement for special education and private alternative schools. Private schools must be approved for the public placement of students for special education services. Or. Admin. Rules §581-015-2270. See Special Education.

Private alternative schools must be annually approved of by the district school board to receive public funds. Or. Rev. Stat. §336.631.” ([Oregon State Regulations](#))

State Licensing: According to the US Department of Education, “Only required for schools with residential programs. Private schools offering residential programs for children must be licensed by the Department of Human Services. The standards for licensing encompass the physical health, care, and safety of the children. The superintendent of public instruction will advise on the education program conducted by the residential school. No licensing fees are charged. Or. Rev. Stat. §418.327.” ([Oregon State Regulations](#))

Non-Profit or For-Profit: Either. According to the Oregon Department of Education, “A private school is a business or nonprofit entity that is required to comply with requirements imposed by the jurisdiction, county, city, or other locality in which it is located. This includes zoning, health and safety codes, mandatory reporting, fire codes, student records, or other local ordinances. This list is not exhaustive. Please check with local, county, and state resources.” ([Oregon Private Schools](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: All children are exempt between the ages of 6 and 18 years of age if they are being taught in a private or parochial school in the courses of study usually taught in kindergarten through grade 12 in the public schools and in attendance for a period equivalent to that required of children attending public schools in the 1994-1995 school year. ([ORS 339.030](#))

Length of School Year and Day: According to the US Department of Education, “Students attending a private or parochial school for a period equivalent to that required of children attending public schools are exempt from public school attendance. Or. Rev. Stat. §339.030(1)(a).” ([Oregon State Regulations](#))

Curriculum: According to the US Department of Education, “Students being taught the courses of study usually taught in grades one through 12 in the public schools at a private or parochial school are exempt from public school attendance. Or. Rev. Stat. §339.030(1)(a).

Private schools may offer courses in driver instruction using the curriculum established by the Oregon Department of Transportation under Or. Rev. Stat. §802.345. State reimbursement for costs, however, is provided for private school students only if they complete the course in a public school or other facility. Or. Rev. Stat. §§336.800 and 336.805.

Instruction in all subjects in private and parochial schools must be conducted primarily in English, except instruction in foreign languages and bilingual education for pupils whose native tongue is other than English. Or. Rev. Stat. §336.074.

Each private alternative school as defined by Or. Rev. Stat. §336.615 needs to have a procedure for granting credit for work satisfactorily completed according to its planned education program, and in accordance with the criteria stated in Or. Admin. Rules §581-022-1131, to earn diploma credits. Or. Admin. Rules §581-021-0072 (5)(g) and (i).

Each private alternative school, as defined by Or. Rev. Stat. §336.615, must have a comprehensive plan of instruction focusing on human sexuality education, HIV/AIDS, and sexually transmitted infections and disease prevention in elementary and secondary schools as an integral part of health education and other subjects as per Or. Admin. Rules §581-022-1440. Or. Admin. Rules §581-021-0072 (4)(c)(C).

Each private alternative school, as defined by Or. Rev. Stat. §336.615, must offer accountable activities. Or. Admin. Rules §581-023-0008(2). Accountable activities are defined as one or more of the following as approved by the school district by contract: tutorial instruction; small group instruction; large group instruction; personal growth and development instruction; counseling and guidance; computer assisted instruction; vocational training; cooperative and/or supervised work experience; instructional activities provided by institutions accredited by the Northwest Association of Schools and Colleges; supervised community service activities performed as part of the instructional program; and supervised independent study in accordance with a student's educational goals, including classroom or equivalent work supervised by school district officials that serve as one component of the student's educational plan and profile and not the entire part. Examples of this include required and elective courses, supervised independent study, career-related learning experiences, and project-based learning. Or. Admin. Rules §581-023-0008(2).” ([Oregon State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “Oregon recognizes immunization as a parental responsibility. Prior to admission to any school, students must provide

evidence of immunization as required by the Health Division or meet the requirements for exceptions listed in Or. Rev. Stat. §433.267. Or. Rev. Stat. §§433.240 and 433.267.

Private schools may not permit persons under 18 to possess tobacco products while present on school grounds unless lawfully prescribed. The school must have written policies prohibiting possession and written plans to implement the policies. Or. Rev. Stat. §339.883.

Private schools must provide instruction in exiting the building in an emergency and seeking shelter in case of an earthquake. Schools must conduct at least two earthquake drills and two safety threats drills a year, as well as drills on fires. Schools in coastal zones must conduct at least three drills on earthquakes and tsunamis each year. Drills must be held at least once a month and amount to 30 minutes each. Exit doors must be maintained so they can open from the inside without a key during school hours. Or. Rev. Stat. §336.071.

Private or parochial schools through secondary level with a capacity greater than 250 individuals are subject to additional building code regulations for structures vulnerable to earthquakes and tsunamis. Or. Rev. Stat. §455.447.

Private alternative schools as defined by Or. Rev. Stat. §336.615 must meet the emergency plans and safety program requirements of Or. Admin. Rules §581-022-1420; the asbestos management plans requirements of Or. Admin. Rules §581-022-1430; the administration of prescription and nonprescription medication to students set forth in Or. Rev. Stat. §339.870 and Or. Admin. Rules §581-021-0037; and the requirement of a prevention- oriented health services program for all students, according to Or. Admin. Rules §581-022-0705. Or. Admin. Rules §581-021-0072 (4)(c).” ([Oregon State Regulations](#))

Teacher Certification: According to the US Department of Education, “There is no state policy at this time pertaining to teacher certification for private school teachers except private alternative schools.

A private alternative school as defined by Or. Rev. Stat. §336.615 must have procedures in place regarding staff hiring and evaluation that require staff licensing/registration by the Oregon Teacher Standards and Practices Commission in compliance with Or. Admin. Rules §584-036-0015. Or. Admin. Rules §581-021-0072 (r).

For registered private alternative schools, as defined by Or. Rev. Stat. §336.615, the school is not required to only employ licensed teachers and administrators and school employees are not considered to be employees of any school districts for purposes of Or. Rev. Stat. §342.173. Or. Rev. Stat. §336.635 (5).” ([Oregon State Regulations](#))

Testing: According to the US Department of Education, “Students enrolled in private alternative schools, as defined by Or. Rev. Stat. §336.615, must take the statewide assessment developed by the Oregon Department of Education under Or. Rev. Stat. §329.485. Or. Rev. Stat. §336.637 (2).” ([Oregon State Regulations](#))

Transportation: According to the US Department of Education, “All children attending private or parochial schools under the compulsory school attendance laws are entitled to transportation along or near the designated routes when the district provides transportation for public school students. Or. Rev. Stat. §332.415.” ([Oregon State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “Private elementary and secondary schools must transfer student progress records within 10 days of being notified of the student's enrollment in another school. Or. Rev. Stat. §326.575.

Private alternative schools, as defined by Or. Rev. Stat. §336.615, must report annually on each student's academic progress, including the results of the state assessment, to students, parents and the school district. Or. Rev. Stat. §336.637(2).” ([Oregon State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([Oregon State Regulations](#))

Pennsylvania

Private schools need to be registered with the state of Pennsylvania. There are different requirements for religious and non-religious schools with respect to licensure, with religious schools being generally exempt from requirements. The state does place requirements around the length of the school year and general requirements around the curriculum that schools must teach. Teachers must be certified.

Pennsylvania Code (Education):

<https://www.pacodeandbulletin.gov/Display/pacode?titleNumber=022&file=/secure/pacode/data/022/022toc.html&searchunitkeywords=&operator=OR&title=null>

Pennsylvania Code (State Board of Private Licensed Schools):

<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/022/chapter73/chap73toc.html&d=reduce>

Pennsylvania Department of Education (Regulations):

<https://www.education.pa.gov/Schools/safeschools/laws/Pages/Regulations.aspx>

Pennsylvania Department of Education (Opening a Private or Nonpublic School):

<https://www.education.pa.gov/K-12/Private%20Schools/Pages/Opening-a-Private-or-Nonpublic-School.aspx#:~:text=Registering%20a%20Nonpublic%2FNon%2Dlicensed,with%20the%20Department%20of%20Education.>

U.S. Department of Education (DoE) – Pennsylvania State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/pennsylvania.html> (updated July 2013)

Private School Regulations

Definitions: According to the Pennsylvania Department of Education, “*Licensed Private Academic Schools* are licensed and regulated by the State Board of Private Academic Schools, whose rules, regulations, and standards are concerned with quality education, teacher certification, attendance and courses of study, which closely parallel public school requirements. These schools are primarily nonsectarian.

Nonpublic Nonlicensed Schools are schools owned and operated by bona fide religious institutions. Registration is required of these schools by the Pennsylvania School Code; however, they can choose to be licensed.

Accredited Schools are schools that are accredited by accrediting associations approved by the State Board of Education. The purpose of these organizations is to provide schools a measured, recognized means of improving their academic and operational performance. Schools that desire to become accredited must meet prescribed quality standards established by the accrediting organization. The accredited schools are able to participate in the student services provided to the Licensed and Nonpublic Nonlicensed schools.” ([Pennsylvania DoE](#))

Registration: According to the Pennsylvania Department of Education, “The Pennsylvania School Code, Section 13-Pupils & Attendance 24 P.S. 13-1327 requires a school that be owned and operated by or under the authority of a bona fide religious institution to be registered with the Department of Education.” ([Pennsylvania DoE](#))

State Accreditation: Voluntary. According to the Pennsylvania Department of Education, “Accredited schools are schools that are accredited by accrediting associations approved by the State Board of Education. The purpose of these organizations is to provide schools a measured, recognized means of improving their academic and operational performance. Schools that desire to become accredited must meet prescribed quality standards established by the accrediting organization.” ([Pennsylvania DoE](#))

State Approval: A school seeking original licensure or registration shall submit programs to the Board for approval in the manner and form established by the Board. This section applies to licensed or registered schools wishing to offer new programs. ([§ 73.81](#))

State Licensing: A private academic school shall apply to the Board for a license to operate. Other schools may apply and be granted a license if qualified. The initial application for a license shall be accompanied by a license fee of \$250 in the form of a certified check or money order made payable to the “Commonwealth of Pennsylvania.” The fee is considered a processing fee and will not be refunded if the license is denied. A school license shall be issued for a term of 1 year and shall be renewed yearly. The annual license renewal fee is based on the enrollment and category of the license held by the school and shall be payable by check or money order to the “Commonwealth of Pennsylvania.” A school which has a nursery, kindergarten, elementary, secondary or special education license will be charged an enrollment fee and will report student enrollment as of October 1 of the preceding year on the Nonpublic School Enrollment Report provided by the Department. Tutoring centers and educational testing and remedial centers will be charged a category fee. ([§ 51.4](#))

Non-Profit or For-Profit: According to the Pennsylvania Department of Education, “Private schools are required to be in session for a minimum of 180 days of instruction or a minimum of 450 kindergarten hours, 900 elementary hours, or 990 secondary hours of instruction. Licensed private academic schools must request a formal exception to the 180-day requirement by submitting the 180-Day Exception Form if the school wishes to use the hours in lieu of the days.” ([Pennsylvania DoE](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the Pennsylvania Department of Education, “Private schools are required to be in session for a minimum of 180 days of instruction or a minimum of 450 kindergarten hours, 900 elementary hours, or 990 secondary hours of instruction. Licensed private academic schools must request a formal exception to the 180-day requirement by submitting the 180-Day Exception Form if the school wishes to use the hours in lieu of the days.” ([Pennsylvania DoE](#))

Length of School Year and Day: No publicly available information.

Curriculum: Each school shall observe and comply with all curriculum requirements contained in the public-school laws specified in § 51.3 (relating to compliance with school laws), and Chapter 5 (Reserved). Written planned course outlines shall be on file for subjects taught. ([§ 51.52](#))

Health and Safety Requirements: The buildings of schools shall conform to applicable fire and panic requirements of the Commonwealth or its political subdivisions. ([§ 51.11](#))

Teacher Certification: Only teachers holding a valid Pennsylvania professional certificate issued under Chapter 49 (relating to certification of professional personnel), a private academic teaching certificate or a private academic temporary approval certificate may teach in a licensed private school. ([§ 51.34](#))

Testing: No publicly available information.

Transportation: School buses which are used for the purpose of transporting pupils to or from school and which are registered as commercial vehicles shall be inspected and approved by the State Police under 75 Pa.C.S. § § 4551—4553 (relating to vehicles for transportation of school children) and shall comply with Department of Transportation requirements in 67 Pa. Code Chapter 171 (relating to school buses and school vehicles). ([§ 51.91](#))

Recordkeeping and Reports: Student records must contain a transcript of academic performance, which includes student name, identifying number, program or course attended, grades for all subjects taken, date of entrance, date of graduation or withdrawal and the award received upon completion. ([§ 73.21](#))

Annually, a school shall consolidate copies of all transcripts of academic performance for all students who have graduated, terminated or withdrawn during the previous calendar year. These transcripts of academic performance, for each year, shall be stored separately in a hard copy file or printable electronic record. ([§ 73.22a](#))

Reimbursement for Performing State and Local Functions: According to the Pennsylvania Department of Education, “Provides guidance on how a school district can place a student in an approved private school pursuant to an Individualized Education Program (IEP) and receive partial funding for the placement from the Pennsylvania Department of Education, when such funding is available, pursuant to sections 1302 and 1372 of the Public School Code.” ([Pennsylvania DoE \(Basic Education Circulars\)](#))

Rhode Island

Private schools in Rhode Island need state approval to operate. The state places requirements on the length of the school year, and requires private schools to submit to the state a curriculum that is “substantially equal” to what is taught in public schools. Teachers do not need to be certified.

Rhode Island Non-Public School Requirements:

https://ride.ri.gov/sites/g/files/xkgbur806/files/Portals/0/Uploads/Documents/Students-and-Families-Great-Schools/Educational-Programming/Non-Public_Schools/NP-Guidelines-Website.pdf

Rhode Island Department of Education (DoE) – Non-Public Schools: <https://ride.ri.gov/students-families/education-programs/non-public-schools>

Private School Regulations

Registration: Mandatory. ([Non-Public School Requirements](#))

State Accreditation: No requirements ([Non-Public School Requirements](#))

State Approval: Mandatory. According to the Rhode Island Department of Education, “Approval by the Rhode Island Department of Education is required for private schools. ([RIGL §16-19-2](#)) The Rhode Island Department of Education approves private schools that comply with requirements for curriculum, teacher quality, and attendance to the length of school year and instructional time, student health and safety, record keeping, and compliance with state and municipal school site regulations. The Commissioner of Education will grant a hearing to private schools that are denied approval. On appeal, the decision of the Board of Education is final. ([RIGL §16-19-2](#), [§16-22-1 et.seq.](#), [§16-40-4](#).)” ([Non-Public School Requirements](#))

State Licensing: No requirements ([Non-Public School Requirements](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the Rhode Island Department of Education, “Every child who has completed, or will have completed, six (6) years of life on or before September 1 of any school year, or is enrolled in kindergarten, and has not completed eighteen (18) years of life, shall regularly attend some public day school during all the days and hours that the public schools are in session in the city or town in which the child resides. The public school shall be responsible for regular attendance data monitoring of all students and early identification of emergent truant behavior. Prior to referring truant students to family court, schools must do their due diligence to assure all interventions have taken place.” ([Non-Public School Requirements](#))

Length of School Year and Day: According to the Rhode Island Department of Education, “The period of attendance for private schools must be substantially equal to that required in public schools. The period of attendance, calculated from an approved school calendar and the hours of core instruction must be substantially equal to that required in public schools. Five- and one-half hours per day, totaling 180 days or the equivalent is required for approval.” ([Non-Public School Requirements](#))

Curriculum: According to the Rhode Island Department of Education, “A full curriculum for all grades and subjects must be submitted and be substantially equivalent to that taught in the public schools. Instruction must be provided in reading, writing, geography/social studies, mathematics, and science, the history of the United States and Rhode Island, civic education, and the principles of American government. These subjects must be taught in the English language substantially to the same extent as required in the public schools. Instruction in the principles of popular and representative government under the Rhode Island and United States constitutions must be provided as well as instruction in health and physical education similar to that required in public schools. Each school shall have a carefully planned program of study and activities consistent with its policy and objectives, which shall be approved by the Commissioner of Education.” ([Non-Public School Requirements](#))

Health and Safety Requirements: According to the Rhode Island Department of Education, “Students entering private schools must furnish evidence of immunization as prescribed by regulation of the Director of Health and the Commissioner of Education, or a certificate from a licensed physician stating the student is not a fit subject for immunization for medical reasons or a certificate signed by the parent/guardian stating that immunization is contrary to their beliefs. [RIGL §16-38-2.](#)” ([Non-Public School Requirements](#))

According to the Rhode Island Department of Education, “Private schools must comply with building code standards established by the state building code standards committee. By August 1 of each year, the local fire chief, local building inspector, the director of the State Department of Health and the director of the State Labor Department must determine and notify the private schools as to whether the schools conform to state law and regulation. Private school officials must ensure that schools are not open until notification is received; neglect is a misdemeanor punishable by a fine not exceeding \$500. [RIGL §16-21-3, 3.1.](#) ([Non-Public School Requirements](#))

Private schools must instruct and train the pupils by means of drills to leave school buildings and/or be locked down in an emergency in the shortest possible time and without confusion or panic. Fifteen drills are required annually, including fire, lockdown, and evacuation drills. At least one drill shall be conducted each month, and at least one out of every four must be obstructed drills, i.e. at least 1 or more exits and stairways blocked. As part of the required 15 emergency drills, each school must conduct two evacuation drills and two lockdown drills. One lockdown drill shall occur in September and one in January. Neglect by a private school to comply is a violation punishable by a fine not exceeding \$200. [RIGL §16-21-4;](#) [§16-21-5;](#) [§23-28.12-15;](#) [§23-28.12-36;](#) [S2629.](#) ([Non-Public School Requirements](#))

Private schools must provide students, teachers, and visitors, approved eye protective devices for specified vocational or industrial arts classes and chemical laboratory classes. Students and teachers are required to wear protective devices at all times while participating in the courses. [RIGL §16-21-15.](#)

Each student, staff member, teacher, and administrator has a right to attend and/or work at a school which is safe and secure, and which is conducive to learning, and which is free from the threat, actual or implied, of physical harm by a disruptive student. [RIGL §16-2-17.](#)

Private schools are subject to RI Safe School Act [RIGL §16.21.33;](#) [§16.21.34](#) on bullying - a statewide bullying policy, ensuring a consistent and unified, statewide approach to the prohibition of bullying at school.

Private schools are subject to the RI Rules and Regulations for School Health Programs. One of these regulations, Section 2.5 in Rules and Regulations for School Health Programs, requires all LEAs and nonpublic-school authorities to submit to the Commissioner of Education and to the Director of Health on

an annual basis a report pertaining to the school or district health program. [RI Rules and Regulations for School Health Programs](#), promulgated pursuant to the authority conferred under [RIGL Chapters 16-21, 35-4, and 23-1-18\(4\)](#).” ([Non-Public School Requirements](#))

Teacher Certification: According to the Rhode Island Department of Education, “Certification is not required, but all teachers in non-public special education schools must be certified. All teachers must have a bachelor’s degree, a criminal records check, and demonstrated competency in the content area or grade levels they teach. Teachers are expected maintain and develop up to date competencies with appropriate professional development. [RIGL §16-2-18.1, §16-19-2; Regents Regulations L-6-4.4](#).” ([Non-Public School Requirements](#))

Testing: According to the Rhode Island Department of Education, “Private school students’ participation in state testing is voluntary.” [RIGL §16-22-9](#). ([Non-Public School Requirements](#))

Transportation: According to the Rhode Island Department of Education, “Rhode Island is divided into five regional transportation areas. Districts must provide transportation for private school students within the district and within the region if no other similar school operates within the district. School committees must provide transportation to and from school for elementary and high school pupils attending private schools if the pupil resides so far from the school as to make the pupil's attendance impractical, or if a student's physical disability or infirmity would make attendance impracticable. Private schools operated for profit are not eligible. [RIGL §16-21-1](#).” ([Non-Public School Requirements](#))

Recordkeeping and Reports: According to the Rhode Island Department of Education, “Private school teachers must keep a register of the names of all students, their sex and age, names of parents or guardians, the time when each student enters and leaves the school, and their daily attendance. Private schools are obligated to prepare reports required by the school committee or Department of Elementary and Secondary Education. [RIGL §16-12-4](#).”

Whenever a K–9 pupil fails to report to school and no indication has been received by the private school that the pupil's parent/guardian is aware of the pupil's absence, the school must make a reasonable effort to notify the parents of the child's absence. School personnel or volunteers organized for this purpose are immune from any civil or criminal liability in connection with the notice to parents. [RIGL §16-19-10](#).

Private schools that provide multiple kindergarten sessions must make every effort to give written notice to parents which session their child has been placed 30 days before the start of the school year. [RIGL §16-2-28.2](#).” ([Non-Public School Requirements](#))

Reimbursement for Performing State and Local Functions: No state policy at this time. ([Non-Public School Requirements](#))

South Carolina

Private schools in South Carolina do not need to be registered, accredited, approved, or licensed by the state. The state places minimal requirements on the length of the school year and no requirements with respect to the curriculum a school must utilize. Teachers do not need to be certified.

South Carolina Code of Laws (Education): <https://www.scstatehouse.gov/code/title59.php>

U.S. Department of Education (DoE) – South Carolina (SC) State Regulations:
<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/southcarolina.html> (updated August 2016)

Private School Regulations

Registration: No known requirements. ([SC State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “Accreditation is one alternative to satisfy South Carolina's compulsory school attendance statute. Attendance at a private school satisfies South Carolina's compulsory school attendance statute if the school is a member school of the South Carolina Independent Schools' Association, South Carolina Association of Christian Schools, or a similar organization. South Carolina Code of Laws (S.C. Code) §59-65-10(A).” ([SC State Regulations](#))

State Approval: No requirements. ([SC State Regulations](#))

State Licensing: Optional. According to the Rhode Island Department of Education, “Approval by the South Carolina Board of Education is one alternative for satisfying South Carolina's compulsory school attendance statute. Attendance at a nonsectarian private school satisfies South Carolina's compulsory school attendance statute if the state board of education has approved the school. S.C. Code §59-65-10(A)

The South Carolina attorney general has determined that the state board of education has the authority to establish minimum standards for private school approval under the Compulsory School Attendance Act. 1967-68 Attorney General Opinion, No. 2585, p. 291; however, no such standards have been developed thus far.” ([SC State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to South Carolina state statute:

A parent or guardian shall require his child to attend regularly a public or private school or kindergarten of this State which has been approved by the State Board of Education, a member school of the South Carolina Independent Schools' Association, a member school of the South Carolina Association of Christian Schools, or some similar organization, or a parochial, denominational, or church-related school, or other programs which have been approved by the State Board of Education from the school year in which the child is five years of age before September first until the child attains his seventeenth birthday or graduates from high school. [Section 59-65-10](#).

Length of School Year and Day: Homeschooling/Alternative requires at least 180 days. [Section 59-65-40](#) and [Section 59-65-45](#).

Curriculum: No state policy currently exists. ([SC State Regulations](#))

Health and Safety Requirements: According to the Rhode Island Department of Education, “The Department of Health and Environmental Control has the authority to inspect private school lunchrooms and sanitary facilities.

Potential private school staff members must be evaluated for tuberculosis prior to being hired. As a prerequisite for employment, an applicant must present a health certificate certifying that he/she does not have tuberculosis in an active stage. [S.C. Code §§44-29-150 and 160](#).

No child will be admitted to any public, private, or parochial school, grades kindergarten through 12, or to any child development program under the control of the South Carolina Department of Education without first presenting a valid South Carolina certificate of immunization, unless found exempt. South Carolina Code of Regulations (S.C. Code of Regs.) 61-8.

The distribution of a controlled substance within a radius of one-half mile of a private elementary, middle, or secondary school is a criminal offense and punishable by fine and/or imprisonment. [S.C. Code §44-53-445](#).

It is illegal for anyone to loiter or enter a private school without permission of the principal or other authority in charge. [S.C. Code §16-17-420](#).” ([SC State Regulations](#))

Teacher Certification: No state policy currently exists. ([SC State Regulations](#))

Testing: No state policy currently exists. ([SC State Regulations](#))

Transportation: According to the Rhode Island Department of Education, “School buses owned and operated by private schools or under contract for a private school must conform to state laws and regulations of the South Carolina Board of Education. Buses failing to comply with the laws and regulations must be painted a color other than yellow and are not entitled to the privileges and protection of a school bus operating on the highways. [S.C. Code §59-67-40](#).

Private school bus drivers must be certified by the South Carolina Board of Education. [S.C. Code §59-67-108](#).” ([SC State Regulations](#))

Recordkeeping and Reports: According to the Rhode Island Department of Education, “Private schools must report on request to the local superintendent of education the following information: 1) the number of students receiving instruction; 2) the number of students in regular attendance; 3) the number of teachers employed; and 4) such other facts demonstrating the grade and amount of educational work done in the private school. [S.C. Code §59-13-130](#).

Any private school failing to file the information within two weeks after the close of the regular session will be subject to a fine of not more than \$25. [S.C. Code §59-13-130](#).

The clerk of the South Carolina House of Representatives may distribute the legislative manual to private schools without charge. S.C. Code §2-1-130.” ([SC State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([SC State Regulations](#))

South Dakota

Private schools in South Dakota do not need to be registered, accredited, approved, or licensed by the state. The state does place requirements on both the length of the school year as well as the curriculum that private schools must follow. Teachers do not have to be certified.

South Dakota Legislature – Administrative Rules 24-43:

<https://sdlegislature.gov/Rules/Administrative/24:43>

U.S. Department of Education (DoE) – South Dakota State Regulations:

<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/southdakota.html> (updated November 2015)

Private School Regulations

Registration: No known requirements. ([South Dakota State Regulations](#))

State Accreditation: To be eligible for state accreditation, the school board of a public school district, or of a nonpublic school seeking accreditation, shall:

- (1) Submit annual regulatory reports and assurances as required by the Department of Education, and in compliance with timelines set and made known by the department; and
- (2) Establish, implement, and annually review an approved five-year district improvement plan. The contents and format of a public school district, or a nonpublic school, improvement plan, and the timelines for submission, shall be specified and made known by the Department of Education, and shall include all schools, attendance centers, and programs in the public school district or nonpublic school that are registered with the department and counted in the public school district or nonpublic school's annual ADM calculations. ([SD 24:43:02:03](#))

State Approval: Optional. State approval process for nonpublic schools or specialized nonpublic educational programs. The secretary of education may approve nonpublic schools or specialized nonpublic educational programs that voluntarily seek state approval rather than state accreditation. The approval status of nonpublic schools or specialized nonpublic educational programs shall be available to the public in department publications and on the department's website. A nonpublic school operating within the borders of South Dakota may apply for state approval on an annual basis. The contents, format, and timelines of the request for state approval shall be established and made known by the Department of Education in accordance with state law and administrative rule. The requirements will include, but are not limited to, governance, teacher certification, curriculum, assessment practices, length of school term and day, and health and safety. State approval is granted for one school fiscal year, from July 1 through the following June 30. Renewal of the approval is granted based upon the school's compliance with established requirements during the prior school fiscal years. ([SD 24:43:04:01](#) and [24:43:04:02](#))

State Licensing: No known requirements. ([South Dakota State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: All children five or older than six years old by the first day of September, or any child who, by the first day of September, is at least six years old, but who has not exceeded the age of eighteen, must attend school, either public, nonpublic, or alternative instruction as set forth in [§13-27-3](#), until the child reaches the age of eighteen years, unless the child has graduated or is excused as provided in this chapter. However, the requirements of this section are met if a child who is at least sixteen years of age enrolls in a high school equivalency test preparation program and the child successfully completes the test or reaches the age of eighteen years.

([SD 13-27-1](#))

Length of School Year and Day: According to the US Department of Education, “Each local school board shall set the number of days in a school term, the length of a school day, and the number of school days in a school week. The local school board or governing body shall establish the number of hours in the school term for kindergarten programs. The number of hours in the school term for kindergarten may be no less than 437.5 hours, for grades one through five may be no less than 875 hours, and for grades six through 12 may not be less than 962.5 hours, exclusive of intermissions. An intermission is the time when pupils are at recess or lunch. S.D. Codified Laws §13-26-1.

A school may conduct the regular school term on a year-round basis and to begin on a date established by the school board. "The Board of Education shall promulgate rules pursuant to chapter 1-26 governing the operation and scheduling of year-round schools." Graduating high school seniors may be released from school before the end of the regular term by any school board or governing body. If make up time is needed and occurs after the graduating seniors are released, they do not need to make up the time. School days where classes are convened and then dismissed, or convened later in the day than normal because of inclement weather, count as full days as established in the local school district calendar for the year. S.D. Codified Laws §13-26-2.

School boards are encouraged to include in the regular school term time for curriculum and staff development. Such time will not be counted as instructional time. Each school board has the authority to determine the appropriate amount of time for this activity and how best to use the time based on local needs for program development, increased parent participation, student contact, teachers' preparation, or other needs of the schools in the district. School is to be considered in session only when classes are held and as provided in S.D. Codified Laws §§13-26-4 and 13-26-4.1. "A school board may operate a special term during the summer months." S.D. Codified Laws §13-26-2.” ([South Dakota State Regulations](#))

Curriculum: According to the US Department of Education, “The secretary of the South Dakota Department of Education is responsible for preparing and submitting a standards revision cycle and content standards for kindergarten through grade 12 to the South Dakota Board of Education. S.D. Codified Laws §13-3-48.

Instruction in any school must "promote a mastery of the English language in oral and written communications." S.D. Codified Laws §13-33-11.

All nonpublic schools must provide regular courses in the constitutions of the United States and the state of South Dakota beginning no later than eighth grade and continuing through high school as determined by the South Dakota Board of Education. S.D. Codified Laws §13-33-4.

Character instruction must be given in all nonpublic elementary and secondary schools on "the importance of citizenship, patriotism, honesty, self-discipline, self-respect, sexual abstinence, respect for

the contributions of minority and ethnic groups to the heritage of South Dakota, regard for the elderly, and respect for authority." S.D. Codified Laws §13-33-6.1.

Nonaccredited nonpublic schools, including church sponsored programs, operating as "alternative education programs" must provide instruction in the basic skills of language arts and mathematics for an equivalent period of time as in the public schools. S.D. Codified Laws §13-27-3.

A nonpublic school governing body may exercise the control, supervision, and regulation of interscholastic activities, including interscholastic athletic events of member schools, if they follow the regulations of S.D. Codified Laws §13-36-4. It may make reasonable uniform rules to make decisions and to provide and enforce reasonable penalties for the violation of such rules S.D. Codified Laws §13-36-4. If the school is approved and accredited by the secretary of the South Dakota Department of Education it may yearly delegate control, supervision, and regulation of high school interscholastic activities to a nonprofit association with voluntary membership. That association must: (1) be open to all approved and accredited high schools including those with students receiving alternative instruction as defined in S.D. Codified Laws §13-27-3, and (2) the governing rules of the association are subject to ratification by public school boards and nonpublic schools governing boards. S.D. Codified Laws §13-36-4.

South Dakota prohibits discrimination in private educational institutions based on race, color, creed, religion, sex, ancestry, disability or national origin. If there is the opportunity for both sexes to equally participate in athletic activities offered by an institution, segregation by sex in athletic activities does not constitute discrimination. Bona fide religious institutions that have a qualification based on religion are exempt if the qualification is related to a bona fide religious purpose. S.D. Codified Laws §§20-13-1 and 20-13-22.” ([South Dakota State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “The governing body of a nonpublic school is under a duty to provide sanitary facilities and a supply of water suitable for drinking and to maintain sanitary conditions. Electrical services, adequate lighting, and a telephone must also be installed unless a school is operating for less than one term. S.D. Codified Laws §13-24-16.

Prior to admission for any pupil entering a school or an early childhood program is required to present to the appropriate school authorities certification from a licensed physician that the child has received or is in the process of receiving adequate immunization against poliomyelitis, diphtheria, pertussis, rubeola, rubella, mumps, tetanus, and varicella, according to recommendations provided by the South Dakota Department of Health. "As an alternative to the requirement for a physician's certification, the pupil may present: (1) Certification from a licensed physician stating the physical condition of the child would be such that immunization would endanger the child's life or health; or (2) A written statement signed by one parent or guardian that the child is an adherent to a religious doctrine whose teachings are opposed to such immunization; or (3) A written statement signed by one parent or guardian requesting that the local health department give the immunization because the parents or guardians lack the means to pay for such immunization." S.D. Codified Laws §13-28-7.1

Nonpublic schools must be "constructed, equipped, operated and maintained in a safe condition" with respect to "the type of construction and materials used, fireproofing, the number and types of ways of egress, aisles and passageways, stairs and fire escapes, wall openings, exits and exit signs, doors and doorways, shaft ways and other vertical openings, fire alarm systems, electrical equipment, flammable and explosive materials, heating systems and fuel storage, numbers of occupants, ventilation, and all other emergency protection". S.D. Codified Laws §13-25-1.

The state fire marshal may make inspection of all nonpublic school buildings, auditoriums, gymnasiums, dormitories, shops, or other buildings operated as a part of or in conjunction with school activities, whether owned by the school or not. S.D. Codified Laws §13-25-3.

Any person who has contact with children while serving at a private school and suspects child abuse or neglect must notify the school principal, superintendent, or designee. The notified person must report the information orally and immediately to the state's attorney of the county, the South Dakota Department of Social Services, or to law enforcement officers. S.D. Codified Laws §§26-8A-7 and 26-8A-8.

Nonpublic or parochial schools may develop a fingerprinting program for students. The program must ensure that 1) participation is voluntary; 2) the program is executed with parental consent; 3) the program is operated under the supervision of local law enforcement agencies; 4) all completed fingerprint forms are given to the parents, and no school maintains a copy of the completed fingerprint forms; and 5) identifying details for each student must be printed on the fingerprint card. S.D. Codified Laws §§26-15-1 and 26-15-2.” ([South Dakota State Regulations](#))

Teacher Certification: According to the US Department of Education, “The South Dakota Board of Education is authorized to establish standards for certified personnel in all schools. S.D. Codified Laws §13-1-12.1.

Instructors do not have to be certified. In nonaccredited schools, instructors cannot teach more than 22 students. S.D. Codified Laws §13-27-3.” ([South Dakota State Regulations](#))

Testing: According to the US Department of Education, “Children who are excused from compulsory public-school attendance by receiving alternative instruction in grades two, four, eight, and 11 must annually take a nationally standardized achievement test (basic skills). S.D. Codified Laws §13-27-3.” ([South Dakota State Regulations](#))

Transportation: According to the US Department of Education, “School districts may provide transportation to nonpublic school students if no additional public funds are expended to provide the transportation. No school district, however, is required under this section to provide transportation to nonpublic school students. This section does not affect the transportation of any eligible student pursuant to an individualized education plan. ([13-29-1.2](#)) Each school bus used for the transportation of school children that is owned by a school district, nonpublic school, or alternative education program or privately owned and operated under a contract with a school district, nonpublic school, or alternative instruction program must be inspected before each school year begins by an inspector approved by the Division of Highway Patrol. The vehicle must comply with state law, and rules of the South Dakota Board of Education, the South Dakota Department of Public Safety, and the Division of Highway Patrol. If a school bus is purchased during the school year from a licensed motor vehicle dealer, the dealer may inspect and certify the compliance of the vehicle. A school bus must display the certificate certifying inspection was passed for the year Operation of a school bus that has not be certified is a petty offense. S.D. Codified Laws § 13-29-6 does not apply to federally regulated charter bus service operations”. S.D. Codified Laws §13-29-6.” ([South Dakota State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “A person enrolling a student in a nonpublic school must submit a certified copy of a birth certificate or an affidavit issued by the South Dakota Department of Health within 30 days of enrollment. S.D. Codified Laws §13-27-3.1.

The superintendent of any nonpublic school must regularly report to the state's attorney the name and address of any child who has not presented a certified copy of a birth certificate. S.D. Codified Laws §13-27-3.3.

A child is eligible to enroll in nonpublic school kindergarten when 5 years old on September 1st. A transferring student from another state may enroll in a nonpublic school regardless of age to ensure continuous education. S.D. Codified Laws §§13-28-2 and 13-28-4.

South Dakota includes private school students in the school district's average daily membership to calculate the apportionment among school districts of the school fund income. S.D. Codified Laws §§13-13-1 and 13-13.1.1.” ([South Dakota State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy relating to reimbursement for performing state and local functions regarding nonpublic schools currently exists. ([South Dakota State Regulations](#))

Tennessee

There are six different categories of private schools in Tennessee, with varying levels of requirements with respect to registration, approval, licensure, and accreditation, as well as the length of the school year, the content that must be taught, and whether or not teachers must be certified.

U.S. Department of Education - Tennessee State Regulations: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/tennessee.html> (last updated December 2016)

CaseText: <https://casetext.com/regulation/tennessee-administrative-code/title-0520-education>

Private School Regulations

There are six (6) categories of non-public schools in Tennessee. ([SBE Tennessee](#))

1. Category I schools are those approved individually by the Department of Education. Special purpose programs which address a student's education while receiving short term medical or transient care may also be approved as Category I schools.
2. Category II schools are those which are accredited by an agency whose accreditation process is approved by the State Board of Education.
3. Category III schools are those which are regionally accredited.
4. Category IV schools are those schools which are "church related" and exempt from regulations according to T.C.A. § 49-50-801.
5. Category V schools are acknowledged for operation by the Tennessee Department of Education.
6. Category VI schools are independent home schools.

Registration: No known requirements.

State Accreditation: According to the US Department of Education,

"Accreditation is not mandated by the department of education, but schools in Categories II and III must satisfy the accreditation standards of their affiliate association. State Board of Education Rule 0520-07-02-.03 and -.04.

Church-related schools are required to meet the standards of accreditation or membership of the Tennessee Association of Christian Schools (TACS), the Association of Christian Schools International (ACSI), the Tennessee Association of Independent Schools (TAIS), the Southern Association of Colleges and Schools (SACS), the Tennessee Association of Non-Public Academic Schools, the Tennessee Association of Non-Public Academic Schools (TANAS), Tennessee Association of Church Related Schools or a school affiliated with Accelerated Christian Education, Inc. TCA 49-50-801.

Therefore, church-related schools may fall into Category II if fully accredited or Category IV if they are only affiliate members and do not need accreditation. ([Tennessee State Regulations](#))

State Approval: Required for Category I schools and optional for Category IV schools.

Category I schools must be approved by the State Department of Education. Category I schools must follow all state education laws and rules. State Board of Education Rule 0520-07-02-.02.

Category IV schools are church related schools as recognized by associations mentioned in TCA 49-50-801. Church-related schools may voluntarily seek approval by the State Board of Education. TCA 49-50-801.

State Licensing: No requirements.

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Children entering kindergarten shall be five (5) years of age on or before August 15. However, a child does not have to enroll in school at five (5) years of age, but enrollment must occur no later than the beginning of the academic year following the child's sixth (6th) birthday.

Any transfer student applying for admission who was legally enrolled in an approved kindergarten in another state and who will be five (5) years of age no later than December 31 of the current school year shall be enrolled.

Pursuant to the Tennessee compulsory attendance law, all children must attend school between the ages of six (6) and seventeen (17), both inclusive. (CaseText: TN [Section 0520-01-02-.17](#))

Length of School Year and Day: According to the US Department of Education, "Schools in Categories I, II, IV, V and VI must be conducted for the same length of term as public schools (6 1/2-hour school days in minimum per the State Board of Education Rule 0520-01-03-.02 and 180 instructional days per TCA 49-6-3004). TCA 49-50-801(c) and State Board of Education Rule 0520-07-02-.02, .03, .06, and .07. The State Board of Education Rules do not address the length of school year or days in Category III schools." ([Tennessee State Regulations](#))

Curriculum: According to the US Department of Education, "Private high schools which offer a four-year course in literary branches must require every student to have one year of instruction in American history and government. TCA 49-6-1202.

Category I, II, and VI schools must adhere to the state's minimum graduation requirements for public schools as listed in State Board of Education Rule 0520-01-03. *State Board of Education Rule 0520-07-02-.02, .03, and .07.*

A Category II school's curriculum must include the areas of reading, composition, speech, mathematics, social studies, science, art, music, health and physical education. *State Board of Education Rule 0520-07-02-.03.*

A Category VI school's curriculum must include areas of English, mathematics, social studies, science, the arts, foreign language (it can be the language of the host country), and wellness consistent with Tennessee curriculum standards. *State Board of Education Rule 0520-07-02-.07.*" ([Tennessee State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, "The Commissioner of Health is authorized, subject to the approval of the public health council, to designate diseases against which children must be immunized prior to attendance at any school of Tennessee. Parents may file a written statement with the school authorities that if such immunizations conflict with their religious tenets and practices. TCA 49-6-5001.

Fire drills must be held monthly in private schools. A record of all fire drills; including the time and date, must be kept in the respective school and made available upon request to the State Fire Marshal. TCA 68-102-137.

All doors serving as exits must be kept unlocked during the periods that a building is occupied. TCA 68-102-137.

Annual inspections by the Fire Marshal's Office and the Health Department are required for all categories of non-public schools. State Board of Education Rule 0520-07-02.

Teacher Certification: Teachers in Category I schools must be licensed and at least one must be licensed in special education. State Board of Education Rule 0520-07-02-.02.

Teachers serving in Categories II and III must meet the licensure and certification standards set forth by their agency/association. State Board of Education Rule 0520-07-02-.03 and 0520-07-02-.04.

Category V teachers must hold a baccalaureate degree, but are not required to have a teaching certificate. State Board of Education Rule 0520-07-02-.06.

Category VI teachers must meet the licensure requirement of Tennessee or their host country. State Board of Education Rule 0520-07-02-.07.” ([Tennessee State Regulations](#))

Testing: According to the US Department of Education, “Category I schools must test in accordance with public school requirements. State Board of Education Rule 0520-07-02-.02.

Category II schools must test at least once every school year, give a nationally standardized achievement test covering the areas of reading, language arts, spelling, math, science, and social science to each pupil in grades two through eight and grade ten; the results must be communicated to teachers and parents and kept on file at the school for one calendar year. State Board of Education Rule 0520-07-02-.03.

Category V schools must administer a nationally standardized achievement test covering the basic academic areas at grades two through eight and grade ten. Test results should be used to improve student instruction. State Board of Education Rule 0520-07-02-.06.

Category VI schools must administer high school tests required by the state. Results must be communicated to teachers and parents, and kept on file for one calendar year. If the state requires minimum scores to receive a diploma, Category VI students must achieve such scores to receive a diploma. State Board of Education Rule 0520-07-02-.07.

Category VI students must achieve English language proficiency per the standards of the associated public university. State Board of Education Rule 0520-07-02-.07.” ([Tennessee State Regulations](#))

Transportation: According to the US Department of Education, “Any school buses purchased by a private contractor to transport school students must meet national minimum bus standards and all applicable federal motor vehicle safety standards. A van used for such transport is only required to comply with rules and regulations of the state board of education. TCA 49-6-2115. Operation and standards for student transportation can be found in State Board of Education Rule 0520-01-05.” ([Tennessee State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “Principals and teachers of private, denominational or parochial schools must report to the local superintendent the names, ages and residence of all pupils in attendance at their schools within 30 days after the beginning of the school year.

TCA 49-6-3007(c). Pursuant to the State Board rule, attendance is reported to the Local Education Agency (LEA) in which the student resides. For a student attending a virtual school based in Georgia, for example, attendance would be reported to the Tennessee LEA where the student resides. State Board of Education Rule 0520-07-02-.02, .03, .05, and .06.

All private and parochial schools shall keep daily reports of attendance, verified by the teacher making such record and open for inspection by the local superintendent. TCA 49-6-3007(d).

Private schools are under a duty to report promptly to the local superintendent the names of students who have withdrawn or who have been absent five days without adequate excuse. TCA 49-6-3007(e).

Category II and VI schools must maintain cumulative records on each student. State Board of Education Rule 0520-07-02-.03 and .07.

All non-public schools in category 1 shall submit annually: 200 Day Accountability Report, Non-Public Reporting Form; S-File (for student numbers); T-File (for teacher information) as part of the school's direct application for approval. State Board of Education Rule 0520-7-2 and Tennessee Department of Education Non-Public School Website.

Category V schools must submit by November 1st of each year the name, mailing address and telephone number of the school; the name and academic credentials of the principal or headmaster of the school; the number of students in each grade level as of October 1 of current school year; the name and academic credentials of each teacher and the subjects taught by that teacher; and certification that the school year provides an operating schedule that includes the minimum number of instructional days and hours as required of public schools. State Board of Education Rule 0520-07-02-.06.” ([Tennessee State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists.

Texas

Private schools in Texas do not need to be registered, accredited, approved, or licensed by the state. Private schools must have a school year that meets or exceeds the required seat time for public schools and the state does put some requirements on the curriculum that private schools must follow. Teachers do not need to be certified.

U.S. Department of Education – Texas State Regulations: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/texas.html> (updated January 2017)

Private School Regulations

Registration: No known requirements. ([Texas State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “The accreditation of nonpublic schools through the Texas Private School Accreditation Commission (TEPSAC) became effective on February 12, 1986. The Texas Education Agency ceased directly accrediting nonpublic schools after May 31, 1989. Through a letter of understanding, the commissioner of education recognizes the accreditation of nonpublic schools accredited by associations that are members of TEPSAC.

Teacher service in accredited private schools may be claimed for salary increment purposes in public schools. Texas Administrative Code, Title 19, Part II, §153.1021(h)(8) states: "(A) For experience prior to the 1986-1987 school year, accreditation by the Texas Education Agency or the Southern Association of Colleges and Schools is required; (B) For experience in the 1986-1987, 1987-1988, and 1988-1989 school years, service shall be acceptable if the school was accredited by the Texas Education Agency, or a recognized regional accrediting agency; (C) For experience in the 1989-1990 school year and thereafter, service shall be acceptable if the school was accredited by the TEPSAC; (D) During the 1986-1987, 1987-1988, and 1988-1989 school years, private schools accredited by the Texas Education Agency, a recognized regional accrediting agency, or an association recognized by the commissioner of education will be listed in the Texas School Directory; (E) Beginning with the 1989-1990 school year and thereafter, private schools accredited by the TEPSAC will be listed in the Texas School Directory; and (F) Beginning with the 2004-2005 school year and thereafter, private schools accredited by the TEPSAC will be listed on the Texas Education Agency website." Texas Administrative Code, Title 19, Part II, § 153.1021(h)(8).” ([Texas State Regulations](#))

State Approval: No requirements. ([Texas State Regulations](#))

State Licensing: No requirements. ([Texas State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: A child who is required to attend school under this section shall attend school each school day for the entire period the program of instruction is provided. Unless specifically exempted by Section 25.086, a child who is at least six years of age or who is younger than six years of age and has previously been enrolled in first grade, and who has not yet reached the child’s 19th birthday shall attend school. [Educ. Code Section 25.085](#)

Length of School Year and Day: According to the US Department of Education, “Accredited private schools must meet or exceed the minimum seat time required of public schools. TEPSAC Policy Book” ([Texas State Regulations](#))

Curriculum: According to the US Department of Education, “Students attending a private or parochial school are exempt from compulsory attendance at a public school if the school includes in its course a study of good citizenship. Texas Education Code Ann. §25.086(a)(1).

A transfer student from a Texas nonpublic school must complete all state requirements found in Texas Administrative Code, Title 19, Part II, §74.11(d)(1) for graduation. Texas Administrative Code, Title 19, Part II, §74.11(f).

The district may use a variety of methods to verify the content of courses for which a transfer student from a Texas nonpublic school has earned credit. Texas Administrative Code, Title 19, Part II, §74.26(a)(2).

Parochial and private schools are expected to observe Texas Week the week of March 2. Texas Civil Statute Article 6144a.” ([Texas State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “Children may not be admitted to any elementary or secondary school unless they (1) have been immunized as required by the Texas Department of State Health Care Services; or (2) present an affidavit or certificate signed by a physician stating the immunization would pose a significant risk to the health and well-being of the student or his family; or (3) present an affidavit declining the immunization for reasons of conscience, including a religious belief. Private schools may choose to accept or reject these affidavits. A person who has not received the required immunizations for reasons of conscience, including a person's religious beliefs, may be excluded from school in times of emergency or epidemic. Texas Administrative Code, Title 25 §§97.61 through 97.72.

The principal or other chief administrator of a private school must report the names of children suspected of having a reportable condition, i.e. diseases listed by the Department of State Health Services and the executive commissioner of the Texas Health and Human Services Commission, to the local health authority, or the Department of Health regional director. Texas Health and Safety Code §§81.003(10); 81.041(c) and 81.042(c).

Private primary schools are required to request records when enrolling a child under 11 years of age to verify the child's name, birth date, and previous school records. If documentation is not provided, the school must notify the appropriate law enforcement agency to determine if the child has been reported missing. Law enforcement agencies must immediately notify each school, including private primary schools, when a report of a missing child is received. Texas Code of Criminal Procedure §§63.019 through 63.022.

Acts of hazing that occur on or off the campus of an educational institution, including a private high school, must be reported to the appropriate official of the institution. Texas Education Code §§37.151 and 37.152.” ([Texas State Regulations](#))

Teacher Certification: According to the US Department of Education, “Teacher certification is not required for private schools.

All teachers in accredited private schools must be "highly qualified," but each accrediting agency is allowed to define what that means as part of its approval process. The accrediting agency may choose to

use the Texas state teacher certification or may develop its own standards, as long as they are higher than those for the Texas state teacher certification. The accrediting agency also has the option of recognizing out-of-state credentials. TEPSAC Policy Book.” ([Texas State Regulations](#))

Testing: According to the US Department of Education, “A private school may administer a state assessment instrument required for all public schools. The private school must reimburse the Texas Education Agency for the cost of administering the assessment, not to exceed the cost for administering the same assessment to a student enrolled in a public school. Texas Education Code §39.033.

A private school administering a state assessment instrument must

provide to the commissioner performance results on specified academic excellence indicators adopted by the Texas State Board of Education. Texas Administrative Code, Title 19, Part II, §101.1(c); and notify the student and his or her parents or guardian of test results. Texas Administrative Code, Title 19, Part II, §101.5(b).” ([Texas State Regulations](#))

Transportation: According to the US Department of Education, “Street railways or motor buses operating in cities of not less than 20,000 inhabitants are required to sell tickets to children attending private schools for one-half of the adult fare when school is in session. Texas Transportation Code Annotated, Title 5, §131.103.” ([Texas State Regulations](#))

Recordkeeping and Reports: According to the US Department of Education, “Private school administrators or their designees have an obligation to report suspected criminal conduct occurring on school grounds or at school-sponsored activities to the local police or sheriff. Texas Education Code §37.015.

Law enforcement agencies must notify the school principal of an arrest or conviction of delinquent conduct of an individual enrolled in a private school. Texas Code of Criminal Procedure §15.27(e).

A school district must ensure that records or transcripts of a transfer student from a Texas nonpublic school are evaluated and that the student is placed in appropriate classes promptly. Texas Administrative Code, Title 19, Part II, §74.26 (a)(2).

An institution of higher education is not permitted to require an applicant who presents evidence of successful completion of a nontraditional secondary education (which includes a nonaccredited private school) to obtain a general education development certificate, certificate of high school equivalency, or other credentials equivalent to a public high school degree; or to take an assessment not generally required of applicants. Texas Education Code §51.9241.”([Texas State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy currently exists. ([Texas State Regulations](#))

Utah

Private schools in Utah do not need to be registered, accredited, approved, or licensed by the state. The state does not place requirements on the length of the school year, nor does it have specific requirements with respect to curriculum. Teachers do not need to be certified.

Utah Office of Administrative Rules: <https://adminrules.utah.gov/public/search//Current%20Rules>

U.S. Department of Education (DoE) – Utah State Regulations:
<https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/utah.html> (updated June 2015)

Private School Regulations

Registration: No known requirements. ([Utah State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “The Utah State Office of Education (USOE) is responsible for facilitating accreditation of the Board for Utah public schools. The Board is not responsible for the accreditation of nonpublic schools, including private, parochial, or other independent schools. Utah Administrative Code (Utah Admin. Code) R277-410-3 (A).

Accreditation procedures and responsibilities for nonpublic schools through AdvancED Northwest are in Utah Admin. Code R277-410. Utah Admin. Code R277-410-2 (B).” ([Utah State Regulations](#))

State Approval: No known requirements. ([Utah State Regulations](#))

State Licensing: No known requirements. ([Utah State Regulations](#))

Non-Profit or For-Profit: Must be non-profit. [R277-426-3](#).

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: No publicly available information.

Length of School Year and Day: No state requirement for private schools’ length of the school year. ([Utah State Regulations](#))

Curriculum: According to the US Department of Education, “Private school students may enroll in public schools for dual enrollment purposes and participate in any academic activity subject to the same rules applicable to full-time students. Utah Code Annotated (Utah Code Ann.) §53A-11-102.5.

Private school students are eligible to participate in extracurricular or co-curricular activities of their residential public school if the student is taking courses comparable to traditional school courses or earning credit under the options outline in R277-700-6 in the minimum number of designated courses required by the local board of students for participation in that activity. Dual enrollment students are eligible under the same standards as traditional public school students. [Utah Admin. Code R277-438-3](#).

A private school student is not eligible to participate in an extracurricular activity at a public school unless the activity is not provided at his or her private school. Utah Code Ann. §53A-11-102.6 (2)(b).

"A school district maintaining driver education classes shall allow pupils enrolled in grades nine to 12 of regularly established private schools located within the school district to enroll in the most accessible

public school in the school district to receive driver education. Enrollment is on the same terms and conditions as applies to students in public schools within the district, as such terms and conditions relate to the driver education classes only." Utah Code Ann. §53A-13-203.

A private or parochial school may exempt itself from the state prohibition of corporal punishment by adopting a school policy and notifying the parent or guardians of the exemption. Utah Code Ann. §53A-11-802.

A private school may participate in the work experience and career exploration programs by offering internships operated in accordance with the State Board of Education rules. Utah Code Ann. §53A-29-102." ([Utah State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, "Students may not attend private Pre-K–12 schools without certification of immunization unless exempted for personal, medical, or religious reasons. Required immunizations are listed under Utah Admin. Code R396-100. Utah Code Ann. §§53A-11-301; 53A-11-302; and Utah Admin. Code R396-100-1.

Private school administrators have a duty to report the name and address of a person suspected of having a communicable disease, and the facts relating to the case, to the Department of Health. Utah Code Ann. §26-6-6.

The Utah Fire Prevention Board establishes the minimum standards for the prevention of fire, the protection of life and property against fire, and panic in private schools. Utah Code Ann. §53-7-204.

Law enforcement agencies have a duty to notify the administrator of a private school if an employee has been arrested for a controlled substance or sex offense. Utah Code Ann. §53-10-211.

Private schools may require potential employees or volunteers to submit to a criminal background check through the Criminal Investigations and Technical Services Division of the Department of Public Safety as a condition for employment or appointment and, where reasonable cause exists, schools may require an existing employee or volunteer to submit to a criminal background check. Only job-related convictions should be considered by the school. The private school must pay the cost unless the applicant has passed an initial review; is one of a pool of five candidates or less; and, has not been the subject of a criminal background check during the preceding two years. If an individual is denied employment based on the background check, the person has a right to written notice of the reasons for the denial and an opportunity to respond. Utah Code Ann. §53A-3-410.

Private school students who participate in industrial education, physics laboratory, and chemistry laboratory activities that may endanger one's vision, must wear quality eye protective devices. Utah Code Ann. §53A-13-103.

The owner of the building that contains a nonprofit elementary school is considered the Local Education Agency (LEA) and will be assessed penalties for violations of Asbestos Hazard Emergency Response Act of 1986 and 40 CFR Part 763, Subpart E, Asbestos-Containing Materials in Schools; private nonprofit schools will be liable for up to \$5,000, per day, per violation. Utah Admin. Code R307-135-4." ([Utah State Regulations](#))

Teacher Certification: Optional. ([Utah State Regulations](#))

Testing: Optional. Private school and scholarship students who are Utah residents, as defined under Section 53G-6-302, may participate in statewide assessments. [R277-604-3](#)

Transportation: According to the US Department of Education, school buses are required to meet certain design and operation standards regardless of whether they transport students to public or private schools. The Highway Patrol inspects all buses for safety biannually. Utah Admin. Code R909-3-2. Utah Code Ann. §53-8-211

Recordkeeping and Reports: According to the US Department of Education, “Private schools must retain official certificates of immunization for every student as part of the individual's permanent school record. The Department of Health provides official certificate forms. Utah Code Ann. §53A-11-304.

Private schools have a duty to cooperate with employers by issuing age certificates or lists of current students or recent students showing their dates of birth according to school records. Utah Code Ann. §34-23-209. ([Utah State Regulations](#))

The County Clerk may require accredited nonpublic schools to provide an estimate of the number of enrolled students who are high school seniors. The County Clerk will provide sufficient by-mail voter registration forms, to be disseminated to the students. Utah Code Ann. §§20A-2-302 and 53A-3-402.5.

The Superintendent of Public Instruction includes applicable private school data in his annual report to the Governor and the Legislature on the public school system. Utah Code Ann. §53A-1-301 (3)(d).” ([Utah State Regulations](#))

Reimbursement for Performing State and Local Functions: No state policy concerning reimbursement for performing state and local functions related to private schools exists currently. ([Utah State Regulations](#))

Vermont

Private schools in Vermont need to be approved by the state. Schools must provide a school year that is substantially equivalent to the length of traditional public schools, and the state does have requirements for the curriculum that schools must follow. Teachers do not need to be certified, but the state does have educational expectations (a bachelor's degree or equivalent).

Vermont Independent Schools Association (VISA): <https://www.vtindependentschools.org/state-regulation.html>

U.S. Department of Education (DoE) – Vermont State Regulations: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/vermont.html> (updated October 2014)

Private School Regulations

Registration: No requirements. ([Vermont State Regulations](#))

State Accreditation: No requirements. ([Vermont State Regulations](#))

State Approval or Recognition: One of the two is mandatory. According to the US Department of Education, “The state board of education approves independent schools if the school provides a minimum course of study...and substantially complies with the board's rules for approved independent schools. The board's rules require at a minimum (1) adequate resources to meet the school's objectives, including financial capacity; (2) faculty qualified by training and experience in the areas assigned; and (3) physical facilities and special services in accordance with state and federal law. Approval may be granted without state board evaluation if the school is accredited by a private, state, or regional agency recognized by the state board. Approval may be revoked or suspended, after opportunity for a hearing, for failure to comply with state requirements. 16 VSA §166(b).” ([Vermont State Regulations](#))

State Licensing: No known requirements. ([Vermont State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: According to the US Department of Education, “A person having the control of a child between the ages of six and 16 years shall cause the child to attend a public school, an approved or recognized independent school, an approved education program, or a home study program for the full number of days for which that school is held, unless the child: [16 V.S.A. § 1121](#)

(1) is mentally or physically unable so to attend; or

(2) has completed the tenth grade; or

(3) is excused by the superintendent or a majority of the school directors as provided in this chapter; or

(4) is enrolled in and attending a postsecondary school, as defined in subdivision 176(b)(1) of this title, which is approved or accredited in Vermont or another state.” ([Vermont State Regulations](#))

Length of School Year and Day: According to the US Department of Education, “Recognized independent schools must be in session an amount of time substantially equivalent to that required for public schools. 16 VSA §166(c)(1)(A).

Per 16 VSA §1071, the minimum number of days for public school is 175.

School year is defined under Vermont's general provisions as beginning July 1 and ending the next June 30. 16 VSA §11(a)12.” ([Vermont State Regulations](#))

Curriculum: According to the US Department of Education, “Approved and recognized nonpublic schools must provide a minimum course of study in the following fields: basic communication, including reading, writing, and the use of numbers; citizenship, history, and government in Vermont and the United States; physical education and comprehensive health education; English, American, and other literature; the natural sciences; and the fine arts. 16 VSA §906.

Independent schools must annually conduct exercises in commemoration of the birth, life, and services of Abraham Lincoln on the last school day before February 12. 16 VSA §907.

It is the secretary of education's duty to distribute, at his or her discretion and upon request, forms and materials relating to the Vermont state basic competency program for elementary and secondary pupils to approved independent schools. 16 VSA §212(12).

Subject to the approval of the secretary, local school superintendents must arrange for the establishment of a driver education and training course for approved independent schools located within his or her supervisory jurisdiction if an independent school requests such a course. 16 VSA §1046.” ([Vermont State Regulations](#))

Health and Safety Requirements: According to the US Department of Education, “No student may enroll in a Vermont school unless the appropriate person has received a record of certificate of immunization issued by a licensed physician or health clinic that the student has received immunizations appropriate to age as specified by the Vermont Department of Health. Exemptions to this requirement are allowed if the immunizations are in process, would be detrimental to the person's health or are not appropriate, or if the immunizations are contrary to the person's or parent or guardian's religious beliefs. 18 VSA §§1121(a) and 1122 (a)(1) and (a)(2).

Approval for independent residential schools is contingent upon proof of the school's satisfactory completion of an annual fire safety inspection by the department of public safety or its designee pursuant to 20 VSA §§2728 through 2767. 16 VSA §166(b)(7).

A certificate executed by the inspecting entity, declaring satisfactory completion of the inspection and identifying the date by which a new inspection must occur, must be posted at the school in a public location. The school must provide a copy of the certificate to the secretary of education after each annual inspection. The school must pay the actual cost of the inspection unless the amount is waived or reduced by the inspecting entity. 16 VSA §166(b)(7).

Independent schools must drill the pupils once each month during the school year so that students are able to leave the school building and clear the halls in the shortest possible time and without panic or confusion. A record of the date and time of the drill, as well as the time consumed in vacating the building must be kept in the official school register and be open at all times for inspection by the department of labor and industry or the Vermont Agency of Education. A principal who willfully neglects to comply will be fined not more than \$500.00. 16 VSA §1481.

Independent schools must request a fingerprint-supported criminal record check on the person(s) recommended for any full-time, part-time, or temporary employment. The request must be conducted through the Vermont Crime Information Center (VCIC). A notice of any criminal record must be reported by VCIC to the independent school, except for a record relating to any crimes of a sexual nature involving children. Such a record is sent to the secretary of education who must notify the headmaster in writing, with a copy to the person about whom the request was made. Any information sent to a person by a headmaster or the secretary of education must be accompanied by a written notice of the person's rights enumerated under the statute. 16 VSA §251-260.

The board of trustees of an independent school must adopt harassment-, hazing-, and bullying-prevention policies and establish procedures for carrying out these policies. 16 VSA §166(e)

Independent schools must adopt a gun-free school policy. 16 VSA §1166 and 18 U.S.C. §921.

[\(Vermont State Regulations\)](#)

Teacher Certification: According to the US Department of Education, “Teachers at approved schools need to hold "a minimum of a bachelor's degree in their field of instruction or substantially equivalent time in training and experience in their field of instruction." State Board Manual of Rules and Practices 2226.5.1.

An approved independent school providing special education services must satisfy the state licensure requirements for personnel who are responsible for the provision or supervision of special education and related services. State Board Manual of Rules and Practices 2228.3.2.

Superintendents, principals, and teachers must subscribe to an oath prior to discharging their duties. The oath affirms their support for the constitutions and the laws of the United States and Vermont. Foreign citizens serving as superintendents, principals, or teachers are not required to take the oath. 16 VSA §12.

Quasi-public or private elementary or secondary schools that directly or indirectly receive support from public funds are considered municipal employers under the Vermont Municipal Labor Relations Act. 21 VSA §1735.” [\(Vermont State Regulations\)](#)

Testing: According to the US Department of Education, “An approved independent school accepting students for whom the district of residence pays tuition under chapter 21 of this title must use the assessment or assessments required under 16 VSA §164(9) to measure attainment standards for student performance of those pupils. In addition, the school must provide data related to the assessment or assessments as required by the secretary. 16 VSA §166(g).” [\(Vermont State Regulations\)](#)

Transportation: According to the US Department of Education, “Each legal pupil, as defined in 16 VSA §1073, entitled or required to attend an elementary or a secondary school may be furnished with total or partial transportation to school if the board of school directors decides it is reasonable and necessary to enable him or her to attend school. Each board must adopt a transportation policy for pupils required to attend school in accordance with the procedure specified in 16 VSA §563(1). 16 VSA §1222.” [\(Vermont State Regulations\)](#)

Recordkeeping and Reports: According to the US Department of Education, “An approved independent school must provide to parents or guardians a statement of its status under Vermont's approval requirements and a copy of 16 VSA §166 prior to accepting any tuition payments. 16 VSA §166(b)(3).

A recognized independent school must provide to parents or guardians a copy of its currently filed statement of objectives and a copy of 16 VSA §166 upon enrollment or by September 1, whichever comes later. Failure to do so may create a permissible inference of false advertising. 16 VSA §166(c)(3).

Recognized independent schools and approved independent schools must provide the names and addresses of enrolled pupils to the secretary on October 1 of each year. The school must also notify the commissioner of the names and addresses of any pupils withdrawing from the school within seven days of their withdrawal. 16 VSA §166(b)(4) and (c)(6).” ([Vermont State Regulations](#))

Reimbursement for Performing State and Local Functions: No known state policy. ([Vermont State Regulations](#))

Virginia

Private schools in Virginia do not need to be registered, accredited, approved, or licensed by the state, but state law only guarantees that private school course credits will be recognized from state-recognized accredited schools. The state does have an expectation for the length of the school year but does not have specific curricular requirements. Teachers do not have to be certified.

Virginia Department of Education (DoE) – Private Schools: <https://www.doe.virginia.gov/parents-students/for-parents/private-schools>

Code of Virginia: <https://law.lis.virginia.gov/vacode/title22.1/>

U.S. Department of Education (DoE) – Virginia State Regulations: <https://www2.ed.gov/about/inits/ed/non-public-education/regulation-map/virginia.html> (updated September 2014)

Private School Regulations

Registration: No requirements. ([Virginia State Regulations](#))

State Accreditation: Optional. According to the US Department of Education, “The board of education does not accredit private schools but recognizes accreditation by the Virginia Council for Private Education (VCPE), a private umbrella organization that approves the accreditation processes of its association member organizations. The Board authorizes accreditation by VCPE member organizations. [Va. Code §22.1-19](#).”

State law only guarantees that private school course credits will be recognized if they were completed at a state-recognized accredited school. [Va. Code §22.1-19](#).” ([Virginia State Regulations](#))

State Approval: Optional. According to the US Department of Education, “Approval of the licensing application satisfies the licensing requirement for private schools serving students with disabilities. 8VAC20-670-40.” ([Virginia State Regulations](#))

State Licensing: Optional. According to the US Department of Education, “Licensing by the Virginia Board of Education is mandatory for private schools serving students with disabilities unless otherwise approved or accredited. [Va. Code §§22.1-320](#) and [22.1-323](#).”

The license of each school that continues to operate as such shall be renewed on or before the anniversary date set by the Virginia Department of Education. Every license that has not been renewed in accordance with these provisions shall expire and a new license shall be obtained from the board before such school may continue to operate, for which an original application must be submitted. The application shall be accompanied by such information deemed necessary by the board. [Va. Code §22.1-328](#).

Licensing for preschools is mandatory unless the school qualifies for an exemption from the state. Va. Code §63.2-1717.” ([Virginia State Regulations](#))

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Except as otherwise provided in this article, every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, cause such child to attend a public school or a private, denominational, or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board and approved by the division superintendent, or provide for home instruction of such child as described in [§ 22.1-254.1](#).

As prescribed in the regulations of the Board, the requirements of this section may also be satisfied by causing a child to attend an alternative program of study or work/study offered by a public, private, denominational, or parochial school or by a public or private degree-granting institution of higher education. Further, in the case of any five-year-old child who is subject to the provisions of this subsection, the requirements of this section may be alternatively satisfied by causing the child to attend any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

Instruction in the home of a child or children by the parent, guardian, or other person having control or charge of such child or children shall not be classified or defined as a private, denominational or parochial school. [Va. Code § 22.1-254](#).

Length of School Year and Day: Virginia's compulsory attendance laws require children to attend school — public, private, denomination or parochial — during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools. The length of the school term for public schools is at least 180 days or 990 teaching hours. [Va. Code §§22.1-254, 22.1-98](#). *Though this regulation is a responsibility of parents and caregivers, private schools must ensure that they are offering the required day and school year lengths.*

Curriculum: The state does not require a specific curriculum for private schools. ([Virginia State Regulations](#))

Health and Safety Requirements: For admittance to a school, a student or the student's parents must submit documentary proof of immunization, an affidavit stating the immunizations conflict with the student's religious tenets, or certification from a physician that the immunization is detrimental to the student's health. Conditional admittance is allowed if a student's immunizations are incomplete and she submits a schedule for completion within 90 calendar days. The state health commissioner has the authority to exclude children from school who are not immunized in the event of an outbreak, potential epidemic, or epidemic. [Va. Code §§22.1-271.2, 32.1-47](#).

The state health commissioner has the authority to inspect dining accommodations of private schools upon presentation of credentials and consent by the owner or custodian. Va. Code §§35.1-1.9.a (includes school cafeterias in the definition of "restaurant"), 35.1-5 (gives VDH the right to inspect).

Employees of private schools who have reason to suspect that a child is abused or neglected must report the matter immediately to the local social services department of the county or city where the child resides or where the alleged abuse occurred or to the Virginia Department of Social Services' toll-free child abuse and neglect hotline. [Va. Code §63.2-1509](#).

The governing board of a private school must furnish protective eye devices, free or at cost, for students, teachers, and visitors participating in specified vocational or industrial arts shops or laboratories. [Va. Code §22.1-275](#).

All applicants for full-time, part-time, permanent and/or temporary employment at an accredited private or religious K–12 school are required to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the applicant's fingerprints through the Central Criminal Records Exchange to the FBI for the purpose of obtaining criminal history record information as a condition of employment. This is not a requirement for non-accredited schools. [Va. Code §22.1-296.3](#).

Teacher Certification: According to the US Department of Education, “Teacher certification is not required by the state; however, an approved accrediting association may set its own requirements for teacher credentials.” ([Virginia State Regulations](#))

Testing: According to the US Department of Education, “Private school students are not required to participate in state administered tests unless the student is a child with a disability who has been placed by a local school division or is placed for non-educational reasons by a Comprehensive Services Act team that includes the school division. Virginia Administrative Code, 8 VAC 20-81-150.A of the Regulations Governing Special Education Programs for Children with Disabilities in Virginia.” ([Virginia State Regulations](#))

Transportation: Requirements for persons employed to transport pupils attending religious or private schools.

No person, partnership, association or corporation operating any religious or private school shall hire, employ or enter into any agreement with any person for the purpose of transporting pupils by motor vehicle unless such person shall present the documents and meet the qualifications required of operators of public school buses by subsection A of [§ 22.1-178](#). The State Department of Education shall furnish the forms prescribed for the purposes of [§ 22.1-178](#) to any person, partnership, association or corporation who shall request such forms for the purpose of compliance with this section. [§ 22.1-180](#) Local school districts may, though are not required to, enter into agreements with private schools to provide students transportation to and from school. [Va. Code § 22.1-176.1](#).

School bus drivers hired by parochial and private schools in Virginia must meet the qualifications and provide the same documentation required of public school bus drivers. [Va. Code §§22.1-180, 22.1-178](#).

School buses transporting pupils to and from private or parochial schools may not discharge pupils in a manner that the child must cross a highway with two or more roadways separated by a physical barrier or unpaved area, or a highway with five or more lanes with the center lane a flush median marked for turning traffic only. [Va. Code §46.2-918](#).

Recordkeeping and Reports: Every teacher in every school in Virginia must keep an accurate daily record of attendance for all children enrolled. The record must be open for inspection and may be admitted into evidence for prosecutions of violations of the compulsory school attendance laws. [Va. Code §22.1-259](#).

Schools must record each student's immunizations on the school immunization record provided by the Virginia Department of Health (VDH) for the student's permanent record. The record must be kept open for inspection by VDH and the local health department. Within 30 days of the start of school, private schools must file a report with the local health department stating the number of students admitted with

documentary proof of immunization, the number of students admitted with a medical or religious exemption, and the number of students conditionally admitted. [Va. Code §22.1-271.2.E](#).

Reimbursement for Performing State and Local Functions: There is no state policy at this time pertaining to reimbursement for performing state and local functions with private schools. ([Virginia State Regulations](#))

Washington

Private schools in Washington need to be approved by the state. The state places requirements both around the length of the school year as well as the curriculum private schools must follow. Teachers must be certified, with a limited set of exemptions.

Washington State Legislature: <https://app.leg.wa.gov/RCW/default.aspx?cite=28A>

Washington State Board of Education – Private Schools FAQs:
https://www.sbe.wa.gov/faqs/private_schools

Washington Office of Superintendent of Public Instruction – State Testing FAQs:
<https://ospi.k12.wa.us/student-success/testing/state-testing/state-testing-frequently-asked-questions#:~:text=Private%2D%20and%20home%2Dschool%20students%20are%20exempt%20from%20state%20testing,are%20welcome%20to%20do%20so.>

Washington Federation of Independent Schools (WFIS): <https://wfis.org/>

Private School Regulations

Registration: No requirements.

State Accreditation: Voluntary. According to the Washington Federation of Independent Schools, “Accreditation and approval are different processes in Washington. It is **approval** that is mandatory in WA State. ([WFIS](#))

State Approval: Mandatory. According to the Washington Federation of Independent Schools, “All private schools must be approved by the Washington State Board of Education before opening to serve students.” ([WFIS](#))

State Licensing: No requirements.

Non-Profit or For-Profit: Either [WAC 458-20-167](#) and [WAC 458-20-169](#). According to the Washington Federation of Independent Schools, “To be eligible to participate in federal programs, private schools must be state-approved and non-profit. ([WFIS](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: All parents in this state of any child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

- (a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010(4);
- (b) The child is receiving home-based instruction as provided in subsection (4) of this section;
- (c) The child is attending an education center as provided in chapter 28A.205 RCW;

(d) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services or the department of children, youth, and families, is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent: PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and shall not affect school district compliance with the provisions of RCW 28A.150.220;

(e) The child is excused from school subject to approval by the student's parent for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without any penalty. Such absences may not mandate school closures. Students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and may not affect school district compliance with the provisions of RCW 28A.150.220; or

(f) The child is sixteen years of age or older and:

(i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated in accordance with chapter 13.64 RCW;

(ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or

(iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.305.190. [RCW 28A.225.010](#)

Length of School Year and Day: According to the Washington Federation of Independent Schools, "Washington private schools must provide 180 days or 1000 hours of education for their students." ([WFIS](#)) Except as provided in RCW 28A.195.040, the minimum school year for instructional purposes shall consist of no less than one hundred eighty school days or the equivalent in annual minimum instructional hour offerings, with a school-wide annual average total instructional hour offering of one thousand hours for students enrolled in grades one through twelve, and at least four hundred fifty hours for students enrolled in kindergarten.

The school day shall be the same as defined in RCW 28A.150.203. ([RCW 28A.195.010](#))

Curriculum: Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements. ([RCW 28A.195.010](#))

Health and Safety Requirements: The legislature finds additional safeguards are necessary to ensure safety of school children attending private schools in the state of Washington. Private schools approved under this chapter are authorized to require that employees who have regularly scheduled unsupervised access to children, whether current employees on May 5, 1999, or applicants for employment on or after May 5, 1999, undergo a record check through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.838, 10.97.030, and 10.97.050 and through the federal bureau of

investigation. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card. Employees or applicants for employment who have completed a record check in accordance with RCW 28A.410.010 shall not be required to undergo a record check under this section. The superintendent of public instruction shall provide a copy of the record report to the employee or applicant. If an employee or applicant has undergone a record check as authorized under this section, additional record checks shall not be required unless required by other provisions of law.

The approved private school, the employee, or the applicant shall pay the costs associated with the record check authorized in this section.

Applicants may be employed on a conditional basis pending completion of the investigation. If the employee or applicant has had a record check within the previous two years, the approved private school or contractor may waive any record check required by the approved private school under subsection (1) of this section. ([RCW 28A.195.080](#))

Public school districts and private schools which conduct any of grades kindergarten through the twelfth grade may provide for the administration of oral medication, topical medication, eye drops, ear drops, or nasal spray, of any nature to students who are in the custody of the school district or school at the time of administration, but are not required to do so by this section, subject to the following conditions:

- (a) The board of directors of the public school district or the governing board of the private school or, if none, the chief administrator of the private school shall adopt policies which address the designation of employees who may administer oral medications, topical medications, eye drops, ear drops, or nasal spray to students, the acquisition of parent requests and instructions, and the acquisition of requests from licensed health professionals prescribing within the scope of their prescriptive authority and instructions regarding students who require medication for more than fifteen consecutive school days, the identification of the medication to be administered, the means of safekeeping medications with special attention given to the safeguarding of legend drugs as defined in chapter 69.41 RCW, and the means of maintaining a record of the administration of such medication. Policies adopted in accordance with this subsection (1) may not permit a school nurse to delegate the responsibility to administer student medications to a parent-designated adult who is not a school employee;
- (b) The board of directors shall seek advice from one or more licensed physicians or nurses in the course of developing the foregoing policies;
- (c) The public school district or private school is in receipt of a written, current and unexpired request from a parent, or a legal guardian, or other person having legal control over the student to administer the medication to the student;
- (d) The public school district or the private school is in receipt of: (i) A written, current and unexpired request from a licensed health professional prescribing within the scope of his or her prescriptive authority for administration of the medication, as there exists a valid health reason which makes administration of such medication advisable during the hours when school is in session or the hours in which the student is under the supervision of school officials; and (ii) written, current and unexpired instructions from such licensed health professional prescribing within the scope of his or her prescriptive authority regarding the administration of prescribed medication to students who require medication for more than fifteen consecutive workdays;
- (e) The medication is administered by an employee designated by or pursuant to the policies adopted pursuant to (a) of this subsection and in substantial compliance with the prescription of a licensed health

professional prescribing within the scope of his or her prescriptive authority or the written instructions provided pursuant to (d) of this subsection;

(f) The medication is first examined by the employee administering the same to determine in his or her judgment that it appears to be in the original container and to be properly labeled;

(g) The board of directors shall designate a professional person licensed pursuant to chapter 18.71 or 18.79 RCW as it applies to registered nurses and advanced registered nurse practitioners, to delegate to, train, and supervise the designated school district personnel in proper medication procedures; and

(h) To be eligible to be a parent-designated adult, a school district employee not licensed under chapter 18.79 RCW must file, without coercion by the employer, a voluntary written, current, and unexpired letter of intent stating the employee's willingness to be a parent-designated adult. If a school district employee who is not licensed under chapter 18.79 RCW chooses not to file a letter under this section, the employee may not be subject to any employer reprisal or disciplinary action for refusing to file a letter. A parent-designated adult must be a volunteer, who may be a school district employee. The professional person designated under this subsection is not responsible for the supervision of the parent-designated adult for those procedures that are authorized by the parents. [RCW 28A.210.260](#)

Teacher Certification: All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the state board of education reporting and explaining such circumstances. ([RCW 28A.195.010](#))

Testing: According to the Washington Office of Superintendent for Public Instruction. "Private- and home-school students are exempt from state testing, but some private- and home-school students do choose to take the assessments and are welcome to do so." ([OSPI](#))

Transportation: Every school district board of directors may authorize children attending a private school approved in accordance with RCW 28A.195.010 to ride a school bus or other student transportation vehicle to and from school so long as the following conditions are met:

(1) The board of directors shall not be required to alter those bus routes or stops established for transporting public school students;

(2) Private school students shall be allowed to ride on a seat-available basis only; and

(3) The board of directors shall charge an amount sufficient to reimburse the district for the actual per seat cost of providing such transportation. [RCW 28A.160.020](#)

Recordkeeping and Reports: The administrative or executive authority of private schools or private school districts shall file each year with the state board of education a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. The state board of education may request clarification or additional information. After review of the statement, the state board of education will notify schools or school districts of any concerns, deficiencies, and deviations which must be corrected. If there are any unresolved concerns, deficiencies, or deviations, the school or school district may request or the state board of education on its own initiative may grant provisional

status for one year in order that the school or school district may take action to meet the requirements. The state board of education shall not require private school students to meet the student learning goals, to learn the state learning standards, or to be assessed pursuant to RCW 28A.655.070. However, private schools may choose, on a voluntary basis, to have their students learn these state learning standards or take the assessments. ([RCW 28A.195.010](#))

The administrative or executive authority of every private school in this state must report to the superintendent of public instruction on or before the thirtieth day of June in each year, on forms to be furnished, such information as may be required by the superintendent of public instruction, to make complete the records of education work pertaining to all children residing within the state. ([RCW 28A.195.060](#))

According to the Washington State Board of Education, “Private schools must take measures to safeguard all permanent records against loss or damage through either the storage of records in fire-resistant containers or facilities, or the retention of duplicates in a separate and distinct area.

It is recommended that private schools follow the public School Districts and Educational Service Districts Records Retention Schedule, which states that student records (including high school and middle school transcripts, as well as elementary enrollment history and grade progression) be retained for 100 years after the student graduates or withdraws.” ([Private School FAQs](#))

Reimbursement for Performing State and Local Functions: No publicly available information.

Virtual/Online Schools

Washington State Board of Education: <https://www.sbe.wa.gov/our-work/private-schools>

According to the Washington State Board of Education, “Per RCW 28A.195.090, an approved Washington private school may have an online program. A completely online school, or a school with physical facilities located only outside of the state, may not be an approved Washington private school. Washington private school law assumes a physical facility in the state of Washington where students are enrolled and regularly attend (RCW 28A.195.010(6)).” ([WSBE](#))

West Virginia

West Virginia has two types of private schools, called Exemption (b) and Exemption (k) schools. Exemption (b) schools answer to the local county board of education and Exemption (k) schools answer to the state superintendent of schools, and as a result, the regulatory requirements are different. For both kinds, there are requirements for both the school day and the school year as well as the curriculum that the school must teach. There is no available information about teacher certification requirements in either type of school.

West Virginia Department of Education (WVDoE): <https://wvde.us/nonpublic-school-information/>

West Virginia Code – Nonpublic School: <https://wvde.us/nonpublic-school-information/code-and-policy/>

West Virginia – Starting a Nonpublic School: <https://wvde.us/nonpublic-school-information/how-do-i-start-a-non-public-school/>

Private School Regulations

According to the West Virginia Department of Education, “West Virginia code §18-8-1 outlines the exemptions to public school attendance for students of the compulsory attendance ages of 6-17. There are two types of non-public schools, Exemption (b) and Exemption (k) schools.

Exemption (b) schools are non-public schools that fall under the jurisdiction of a local county board of education. Such schools are approved to operate by a local county board of education and must have an instructional term equal to W.Va. Code 18-5-45. The county board determines assessment requirements for students and other types of school reports.

Exemption (k) schools are non-public schools that elect to register with the state superintendent of schools and are subject to W.Va. Code §18-28, et. seq. These schools are required to submit standardized testing scores annually that demonstrate proficiency at or above the fortieth percentile. Additionally, they are required to maintain a 180 instructional calendar, average five hours of instruction per day and are subject to health, safety and fire inspections by local, county and state officials.” ([Nonpublic Schools](#))

Registration: Voluntary for exemption b schools. According to the West Virginia Department of Education, “Registration of a non-public school means those students attending these schools, that are of compulsory attendance age, are exempt from attending public school. Provided the school meets the minimal operational requirements of state code section. Personnel in non-accredited schools are not required to have any type of professional licensure or education credentials. Schools that fall under W.Va. Code 18-28 are required to provide a curriculum which will enable students to become literate citizens and must provide standardized testing scores that are at or above the fortieth percentile. However, there are no other student achievement benchmarks or requirements for graduation. ([WVDoE](#)) Exemption (k) Schools are required to submit standardized testing reports before June 30th of any given school year to maintain their registration status with the state superintendent of schools. Additionally, they are also required to submit annual enrollment reports that show their instructional term, number of personnel employed and student enrollment figures.”

State Accreditation: Optional. According to the West Virginia Department of Education, “Accreditation of non-public schools is based on West Virginia State Board Policy 2330. This policy recognizes private schools that are accredited by a recognized third-party agency by affording equal grade placement and

seamless transfer of credit of students relocating to the public setting. These schools have met rigorous standards of professional instruction, curriculum development, school environment, financial stability and student achievement.

Additionally, accredited non-public schools are eligible to be used as site placements for education students that are in their clinical phase of their teacher training (WVBE Policy 5100).” ([WVDoE](#))

State Approval: Optional, based on type of nonpublic school. Exemption (b) schools are non-public schools that fall under the jurisdiction of a local county board of education. Such schools are approved to operate by a local county board of education and must have an instructional term equal to W.Va. Code 18-5-45. The county board determines assessment requirements for students and other types of school reports. (§18-8-1)

State Licensing: No known requirements.

Non-Profit or For-Profit: No publicly available information.

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: A child is exempt from the compulsory school attendance requirement set forth in §18-8-1a of this code if the requirements of this subsection, relating to instruction in a private, parochial, or other approved school, are met. The instruction shall be in a school approved by the county board and for a time equal to the instructional term set forth in §18-5-45 of this code. In all private, parochial, or other schools approved pursuant to this subsection, it is the duty of the principal or other person in control, upon the request of the county superintendent, to furnish to the county board such information and records as may be required with respect to attendance, instruction, and progress of students enrolled. ([§18-8-1](#))

Length of School Year and Day: Each school shall observe a minimum instructional term of one hundred eighty days with an average of five hours of instruction per day. ([§18-28-2](#))

Curriculum: In all public, private, parochial, and denominational schools located within this state there shall be given prior to the completion of the eighth grade at least one year of instruction in the history of the State of West Virginia. The schools shall require regular courses of instruction by the completion of the 12th grade in the history of the United States, in civics, in the Constitution of the United States, and in the government of the State of West Virginia for the purpose of teaching, fostering, and perpetuating the ideals, principles, and spirit of political and economic democracy in America, and increasing the knowledge of the organization and machinery of the government of the United States and of the State of West Virginia. The required courses shall include instruction on the institutions and structure of American government, such as the separation of powers, the Electoral College, and federalism. The required courses shall include instruction that provides students an understanding of American political philosophy and history, utilizing writings from prominent figures in Western civilization, such as Aristotle, Thomas Hobbes, John Locke, and Thomas Jefferson. The courses of instruction shall offer an objective and critical analysis of ideologies throughout history including, but not limited to, capitalism, republicanism, democracy, socialism, communism, and fascism. The required courses shall emphasize the use of primary sources and interactive learning techniques, such as mock scenarios, debates, and open and impartial discussions. ([§18-2-9\(a\)\(1\)](#))

Health and Safety Requirements: Each school shall make and maintain annual attendance and disease immunization records for each pupil enrolled and regularly attending classes. The attendance records shall be made available to the parents or legal guardians;

Upon the request of the county superintendent, a school (or a parents organization composed of the parents or guardians of children enrolled in the school) shall furnish to the county board a list of the names and addresses of all children enrolled in the school between the ages of seven and sixteen years;

Attendance by a child at any school which complies with this article satisfies the requirements of compulsory school attendance;

Each school is subject to reasonable fire, health and safety inspections by state, county and municipal authorities as required by law, and is required to comply with the West Virginia school bus safety regulations; and

Each school shall establish, file and update a school specific crisis response plan which complies with the requirements established for it by the state board and the Division of Homeland Security and Emergency Management pursuant to section nine, article nine-f of this chapter. ([§18-28-2](#))

Teacher Certification: No publicly available information.

Testing: Each private, parochial or church school or school of a religious order or other nonpublic school electing to operate under this statute in lieu of the approval requirements set forth as part of §18-8-1(b) of this code, shall administer during each school year a nationally normed standardized achievement test which test shall be selected by the chief administrative officer of each school. The test shall be administered to students at the same grade levels and in the same subject areas as required in the public schools of the state for administration of the state-wide summative assessment. The selected test shall be published or normed within the last ten years and shall be administered under standardized conditions as set forth by the published instructions of the selected test. The student participation rate on the standardized achievement test must be the same as that required in the public schools for a school's composite score to be considered valid. ([§18-28-3](#))

According to the West Virginia Department of Education, "Per W.Va. Code 18-28-3, exemption (k) schools, shall administer during each school year a nationally normed standardized achievement test which test shall be selected by the chief administrative officer of each school. The test shall be administered to students at the same grade levels and in the same subject areas as required in the public schools of the state for administration of the state-wide summative assessment. The selected test shall be published or normed within the last ten years and shall be administered under standardized conditions as set forth by the published instructions of the selected test. The student participation rate on the standardized achievement test must be the same as that required in the public schools for a school's composite score to be considered valid."

The schools are required to submit testing scores for all students in the grade levels that are identified in the Summative Assessment Test. Only nonpublic schools that provide education exclusively to special education or learning-disabled students are exempt from having to use a nationally normed test and can administer alternative assessments as outlined in 18-28-3 (b).

(f) If the school's composite test results for any single year fall below the fortieth percentile on the selected standardized achievement test or a comparable level established by the state board for assessment methods authorized pursuant to subsection (b) of this section, the school shall initiate a remedial program to foster achievement above that level. If after two consecutive calendar years school composite test

results are not above the fortieth percentile or comparable level, attendance at the school no longer satisfies the compulsory school attendance requirement of §18-8-1(k) of this code, until the percentile standards herein set forth are met.

Exemption (k) schools will need to submit data for the following grades and subjects:

- Grades 3 through 8 – English Language Arts with writing and Math
- Grades 5 and 8 – Science
- Grade 11 – English Language Art with Writing, Math, and Science

Exemption (b) schools only need to report their school term and enrollment data to the state superintendent. This is for us to complete annual legislative reports.” ([WVDoE](#))

Transportation: County boards of education have the authority to provide at public expense transportation for all school age children who live more than two miles distance from school. WV Code [§18-5-13\(f\)\(1\)\(A\)](#).

Recordkeeping and Reports: "Approved" exemption (b) private and parochial schools serving students in lieu of public school are required to furnish county boards of education any information and records requested regarding attendance, instruction, and progress of pupils under 17 years of age. WV Code [§18-8-1](#) exemption (b).

Registered private, parochial and church schools are required to maintain annual attendance and disease immunization records for each pupil enrolled. Attendance records must be made available to parents or guardians. Upon request of the county superintendent of schools, the school must furnish a list of names and addresses of all students between six and 17 years of age. [WV Code §18-28-2](#).

New schools operating under Chapter 18, Article 28, must send the state superintendent of schools a notice of intent to operate, name and address of the school, and name of the school's chief administrator. Schools must also notify the superintendent upon termination. WV Code [§18-28-5](#).

Reimbursement for Performing State and Local Functions: No publicly available information.

Virtual/Online Schools

West Virginia Department of Education - Virtual School: <https://wvde.us/data-management-and-information-systems/virtual-schools/>

According to the West Virginia Department of Education, “Virtual learning allows students to remain part of their local school family while participating in a county approved online learning program. County virtual school options are free to West Virginia public school students and may be offered fulltime or part time depending on the students’ needs. Instruction will be provided to students using a West Virginia certified teacher and families can expect the same instructional quality and rigor for their virtual school student as would otherwise be provided in a traditional classroom setting.

Virtual school opportunities are not limited to public school students. By working with the local county school system, both nonpublic and homeschool students may also take advantage of virtual course offerings.” ([WVDoE](#))

Micro Schools/Learning Pods

microschoolingWV: <https://www.microschoolingwv.org/> and <https://www.microschoolingwv.org/partnership-faqs>

Two types of microschooling: Partnership Microschooling and Independent Microschools. They are defined by microschoolingWV as:

“Partnership: Partnership between employer, association, municipality, or other host organization and Microschooling WV to create an on-site, innovative microschool.

Independent: Typically smaller, one campus, location in studios, homes, gyms, or other work spaces. These groups are usually made up of 5-15 children and are often multiage.” ([microschoolingWV](#))

Wisconsin

Private schools in Wisconsin do not need to be registered, accredited, approved, or licensed by the state, but state law requires schools to be accredited if private schools want to participate in one of the state's private school choice programs. The state places both requirements around the school year that the state must provide as well as the curriculum it must teach. Teachers do not have to be licensed.

Private School Education Statutes: <https://dpi.wi.gov/parental-education-options/private-schools/statutes>

Wisconsin State Regulations:

<https://docs.legis.wisconsin.gov/search/results?q=private+school&filter=doctype%3aregister+OR+doctype%3ascope+OR+doctype%3acr+OR+doctype%3aclearinghouseruleindex+OR+doctype%3aemergencyrules+OR+doctype%3aadministrativecode+OR+doctype%3aadministrativecodeindex+OR+doctype%3aadmininruleprocedures+OR+doctype%3ahearingschedule&filter=doctype%3aadministrativecode> (Current as of November 2023)

Private School Regulations

Registration: No known requirements. ([Wisconsin State Regulations](#))

State Accreditation: According to the US Department of Education, “Accreditation is optional except for schools participating in one of the three voucher programs: Milwaukee Parental Choice Program (MPCP), the Parental Private School Choice Program (PPSCP – Racine), and the Wisconsin Parental Choice Program (WPCP). Wis. Stats. §119.23(2)(a)7 and §118.60(2)(a)7.

Under 2011 Act 47, new schools interested in participating in the WPCP, MPCP, or PPSCP voucher programs must be pre-accredited by the Institute for Transformation of Learning at Marquette University, Wisconsin North Central Association, the Wisconsin Religious and Independent Schools Accreditation, the Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, or the archdiocese or diocese within which the private school is located. Schools new to the program for the 2013–14 school year must apply for accreditation by December 31, 2013. Wis. Stats. sec. 119.23(2)(a) 7.b., amended by Act 47 sections 17.

Pre-accreditation is not required if the school is fully accredited by the Wisconsin North Central Association, the Wisconsin Religious and Independent Schools Accreditation, the Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, or the archdiocese or diocese within which the private school is located. Wis. Stats. sec. 119.23(2)(a) 7.b., amended by Act 47 sections 17.

All private schools participating in the WPCP, MPCP, or PPSCP voucher programs are required to achieve accreditation by the Wisconsin North Central Association, the Wisconsin Religious and Independent Schools Accreditation, the Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, the archdiocese or diocese within which the private school is located or any other organization recognized by the National Council for Private School Accreditation. Schools new

to WPCP, MPCP, or PPSCP for the 2013–14 school year must be accredited by December 31, 2016. Wis. Stats. Sec. 119.23 (2)(a)7.a. amended by Act 47 section 16.

Schools that were approved for scholarship funding for the 2005–06 school year by Partners Advancing Values in Education (PAVE) must be accredited by an approved agency no later than December 31, 2015.

Private schools that do not participate in the WPCP, MPCP, or PPSCP programs are not required to be accredited.

If an accrediting agency submits an affidavit indicating that a private educational institution meets or exceeds the criteria of Wis. Stats. §118.165 and the state superintendent determines that the institution does meet or exceed the criteria, the superintendent shall determine that the institution is a private school. Wis. Stats. §118.167.” ([Wisconsin State Regulations](#))

State Approval: Approval is optional. According to the US Department of Education, “An institution may request the state superintendent to approve its educational program as a private school. The state superintendent must base his or her approval solely on whether the educational program meets the following criteria: 1) the primary purpose is to provide private or religious-based education; 2) the program is privately controlled; 3) the program provides at least 875 hours of instruction each school year; 4) the program provides a sequentially progressive curriculum of fundamental instruction in reading, language arts, mathematics, social studies, science and health (a school is not required to "include in its curriculum any concept, topic or practice in conflict with the program's religious doctrines or to exclude from its curriculum any concept, topic or practice consistent with the program's religious doctrines"); 5) the program is not operated or instituted to circumvent the compulsory school attendance requirement; and 6) the pupils return home annually for not less than two months of summer vacation, or the institution is a licensed child welfare agency. Wis. Stats. §118.165.” ([Wisconsin State Regulations](#))

State Licensing: No requirements. ([Wisconsin State Regulations](#))

Non-Profit or For-Profit: Optional. According to the US Department of Education, “Private schools may apply for nonprofit status and exemption from federal taxes as a 501(c) 3 organization.” ([Wisconsin State Regulations](#))

Commercial Space: No publicly available information.

Liability Insurance: No publicly available information.

Compulsory Attendance: Except as provided under pars. (b) to (d) and sub. (4), unless the child is excused under sub. (3) or has graduated from high school, any person having under control a child who is between the ages of 6 and 18 years shall cause the child to attend school regularly during the full period and hours, religious holidays excepted, that the public or private school in which the child should be enrolled is in session until the end of the school term, quarter or semester of the school year in which the child becomes 18 years of age. [Section 118.15\(1\)\(a\)](#).

Length of School Year and Day: According to the US Department of Education, “The program provides at least 875 hours of instruction each school year. [Section 118.165 \(c\)](#) According to Wisconsin's statutory definition of a private school, a private school must provide at least 875 hours of instruction each school year. Wis. Stats. §118.165(c). Private schools participating in the MPCP and PPSCP must provide at least 1,050 hours of direct pupil instruction for grades 1–6 and 1,137 hours of direct pupil instruction for grades 7–12. Wis. Stats. §119.23(2)(a)8 and §118.60(2)(a)8.” ([Wisconsin State Regulations](#))

Curriculum: The program provides a sequentially progressive curriculum of fundamental instruction in reading, language arts, mathematics, social studies, science and health. This subsection does not require the program to include in its curriculum any concept, topic or practice in conflict with the program's religious doctrines or to exclude from its curriculum any concept, topic or practice consistent with the program's religious doctrines. [Section 118.165 \(d\)](#).

Health and Safety Requirements: According to the US Department of Education, "Private school buildings may be inspected for communicable diseases under a warrant. Wis. Stats. §252.02(1).

The Wisconsin Department of Health Services (DHS) may close a private school to control outbreaks or epidemics. Wis. Stats. §252.02(3).

During a disease outbreak, the DHS may order a private school to exclude students who are not immunized. Wis. Stats. §252.04(7).

If a teacher, school nurse or principal of any school or day care center knows or suspects that a communicable disease is present in the school or center, he or she shall at once notify the local health officer. Wis. Stats. §252.21(1).

By the 15th and 25th day after admission to school, a private school must provide written notification to the parent or guardian of a pupil who has not met the state's requirements for immunizations or received a waiver from the requirements. The school is required to notify the district attorney of the county in which the pupil resides of any minor student who fails to provide evidence of required immunizations or a written waiver within 60 days after being admitted to the school. Wis. Stats. §252.04(5)(a) and Wis. Stats. §252.04(6).

Private schools are required to conduct fire drills monthly unless inclement weather endangers the health of the students. Private schools are required to conduct tornado or other hazard drills at least twice annually. The governing body of the private school shall maintain for at least seven years a record of each fire drill and tornado or other hazard drill conducted. In each community having a recognized fire department, the private school shall annually file a report pertaining to such drills, on a form furnished by the Wisconsin Department of Commerce, with the chief of the fire department. When no fire drill is held during any month, or when only one or no tornado or other hazard drill is held in a year, the person having direct charge of the school shall state the reasons in the report. Wis. Stats. §118.07(2).

The administrator of a private school is required to report to the state superintendent certain instances of engagement in immoral conduct by school employees and convictions of school employees of certain crimes. Wis. Stats. §115.31.

No person may possess or consume alcoholic beverages on private school premises, in a school's motor vehicle if a pupil is present, or at a school-sponsored activity unless approved by the school administrator in writing and consistent with applicable laws and school policies. Wis. Stats. §125.09.

Licenses to serve or sell alcoholic beverages may be restricted on premises located within 300 feet of a parochial school. Wis. Stats. §125.68(3).

Private school employees are prohibited from conducting a strip search of any pupil. Wis. Stats. §118.32; 948.50.

Private schools must maintain a standard first aid kit for emergencies. Wis. Stats. §118.07(1).

School warning signs will be placed on any street or highway bordering a private school by the applicable authority. The authority may also designate school crossings across any street or highway whether or not it borders on the grounds of a school. Wis. Stats. §118.08(1).

Private school administrators, principals, pupil services professionals and teachers are not liable for referring pupils to law enforcement authorities or removing pupils from school or school-sponsored activities for suspicion of possession, distribution or consumption of alcohol or a controlled substance or a controlled substance analog. Wis. Stats. §118.257.

A private school employee or volunteer, with written authorization from the private school administrator or principal, may administer certain over-the-counter and prescription drugs to a pupil under certain circumstances and with specified written instructions and consent from the student's parent or guardian and/or practitioner. The private school administrators and principals as well as the employees and volunteers so authorized are immune from civil liability unless their actions or omissions constitute a high degree of negligence. Wis. Stats. §118.29(2).

A private school employee or volunteer, other than a health care professional, who in good faith renders emergency care to a pupil is immune from civil liability for his or her acts or omissions in rendering such emergency care. Wis. Stats. §118.29(3).

In consultation with one or more appropriate health care professionals, the governing body of a private school whose employees or volunteers may be authorized to administer drugs or prescription drugs to pupils under this section must adopt a written policy governing the administration of drugs to pupils. Wis. Stats. §118.29(4).” ([Wisconsin State Regulations](#))

Teacher Certification: Subject to the same rules and laws concerning qualifications of applicants and granting and revocation of licenses or certificates under par. (a), the state superintendent shall grant certificates and licenses to teachers in private schools, except that teaching experience requirements for such certificates and licenses may be fulfilled by teaching experience in either public or private schools. An applicant is not eligible for a license or certificate unless the state superintendent finds that the private school in which the applicant taught offered an adequate educational program during the period of the applicant’s teaching therein. Private schools are not obligated to employ only licensed or certified teachers. [Section 115.28 \(7\)\(b\)](#).

Testing: No publicly available information.

Transportation: General: (2)(b) 1. Except as provided in sub. (1) or otherwise provided in this subsection, the school board of each district operating high school grades shall provide transportation to and from the school he attends for each pupil residing in the school district who attends any elementary grade, including kindergarten, or high school grade at a private school located 2 miles or more from his residence, if such private school is a school within whose attendance area the pupil resides and is situated within the school district or not more than 5 miles beyond the boundaries of the school district measured along the usually traveled route.

(2)(b) 3. By April 1, 1986, and annually thereafter by that date, each private school shall submit its proposed attendance area for the ensuing school year to the school board of each school district having territory within the proposed attendance area. If a proposal is not submitted by April 1, the existing attendance area shall remain in effect for the ensuing school year.

(2)(b) 4. No later than May 15 in each year, each private school shall notify each school board of the names, grade levels and locations of all pupils, if any, eligible to have transportation provided by such

school board under this paragraph and planning to attend such private school during the forthcoming school term. The school board may extend the notification deadline. [Section 121.54](#)

Alternative methods of providing transportation: (1) A school board or the governing body of a private school may provide pupil transportation services by the following alternative methods:

(a) A motor vehicle transporting 9 or less passengers in addition to the operator.

(b) A motor vehicle transporting 10 or more passengers in addition to the operator and used temporarily to provide transportation for purposes specified under s. 340.01(56)(a) when the school board or the governing body requests the secretary of transportation to determine that an emergency exists because no regular transportation is available. The secretary of transportation shall approve or deny the request in writing. Any authorization granted under this paragraph shall specify the purpose and need for the emergency transportation service. [Section 121.555](#)

Recordkeeping and Reports: On or before each October 15, each administrator of a public or private school system or a home-based private educational program shall submit, on forms provided by the department, a statement of the enrollment on the 3rd Friday of September in the elementary and high school grades under his or her jurisdiction to the department which shall prepare such reports as will enable the public and private school and home-based private educational programs to make projections regarding school buildings, teacher supply and funds required. The administrator of each private school system and home-based private educational program shall indicate in his or her report whether the system or program meets all of the criteria under s. 118.165(1). [Section 115.30 \(3\)](#)

Reimbursement for Performing State and Local Functions: According to the US Department of Education, “Under certain conditions private schools may be reimbursed for providing services to students with disabilities and for providing student transportation. See the Transportation and Special Education sections above.” ([Wisconsin State Regulations](#)) Wisconsin State Regulations)

Virtual/Online Schools

Wisconsin Department of Public Instruction: <https://dpi.wi.gov/online-blended-learning/selecting-online-blended-learning-options#Provide%20limited%20services%20to%20students%20who%20are%20currently%20home-schooled%20within%20your%20district>

Home-Based Private Educational Program (Homeschooling) Frequently Asked Questions – October 2023: https://dpi.wi.gov/sites/default/files/imce/parental-education-options/Home-Based/home_faq_2023_10.pdf

According to the Wisconsin Department of Public Instruction, “In Wisconsin, there are different types of "virtual" or online programs in which a child can enroll: 1) a program offered by a private company or school that may be based anywhere in the country and is not a Wisconsin private school 2) a private school in Wisconsin that provides virtual programming; and, 3) a program offered by a public Wisconsin charter school.

If you enroll your child in a program offered by a private company or school that is not a Wisconsin private school, he/she would be considered enrolled in a homeschooling program. You will need to submit the PI-1206 Homeschool Enrollment Report and pay tuition to the private school or company. As the parent/guardian of a homeschooled student, you would be responsible for ensuring that the program in which you enroll your child meets the requirements of Wisconsin state law. The state does not approve or

accredit any home-based private educational programs, including those offered by private online or correspondence companies. Such companies may or may not award a diploma or certificate upon completion of certain courses. If your child is enrolled in a private school in Wisconsin that provides virtual programming, your child is enrolled in a private school, and you do not need to submit the PI-1206. ([Wisconsin Department of Education, Homeschooling FAQs](#))

Micro Schools/Learning Pods

Site: [Wisconsin State Legislature](#)

According to the Wisconsin Legislative Reference Bureau, “A “microschool” is an instruction program provided to a child by the child’s parent, or a person designated by the parent, that is provided to 1) two to five family units; 2) no more than 20 children; and 3) participating children at a physical location. Under current law, an instruction program provided to a child by the child’s parent, or a person designated by the child’s parent, that is provided to more than one family unit does not qualify as a home-based private educational program.

Under current law, for purposes of the compulsory school attendance requirement, a home-based private educational program must satisfy the same criteria that the an educational institution must satisfy in order to be a private school, including that the program must provide at least 875 hours of instruction each year; must provide a curriculum of fundamental instruction in reading, language arts, mathematics, social studies, science, and health; and may not be operated for the purpose of avoiding the compulsory school attendance requirement. A microschool must also satisfy this criteria in order for instruction at the microschool to satisfy the compulsory school attendance requirement.

Finally, the bill treats microschools in the same manner that home-based private educational programs are treated under current law. For example, under current law, a school board must allow a resident pupil who is enrolled in a home-based private educational program to participate in interscholastic sports and extracurricular activities in the school district. The bill extends these provisions to resident pupils who are enrolled in a microschool.” ([Wisconsin State Legislature](#))

Wyoming

Private schools in Wyoming must be licensed by the state. Private schools must operate the same school calendar as the public schools in the district in which the private school is operating. The state also puts requirements on the curriculum that schools must teach. Teachers in non-religious private schools need to be certified.

Administrative Code: <https://rules.wyo.gov/Search.aspx?mode=7>

Wyoming Statutes: <https://law.justia.com/codes/wyoming/2022/title-21/chapter-2/article-4/section-21-2-401/>

Private School Regulations

Registration: No requirements. ([Administrative Code](#))

State Accreditation: No requirements. ([Administrative Code](#))

State Approval: No requirements. ([Administrative Code](#))

State Licensing: Mandatory. The Wyoming Department of Education is charged with the responsibility of licensing all private schools with the exception of religious K-12 schools. W.S. §21-2-401(c), §21-2-406 and *Chapter 18, Section 3, Wyoming Department of Education Rules and Regulations*.

A license issued to a private school permits the school to solicit (with agent license), offer, and maintain courses of instruction. [Chapter 18, Section 5\(c\), Wyoming Department of Education Rules and Regulations](#).

The licensing provisions, W.S. §21-2-401 through W.S. §21-2-407, authorize minimum standards, degree, performance bond, and requirements.

The provisions do not apply to private K–12 parochial, church or religious schools, W.S. §21-2-406(a)(i)(A); home-based educational programs defined by W.S. §21-4-101(a)(v), See W.S. §21-2-406(a)(ii); aircraft flight training schools approved and authorized by the federal aviation agency of the United States of America W.S. §21-2-406(a)(iii); or a non-degree-granting school teaching techniques of outdoor recreation, leadership, ecology or conservation domiciled in the state of Wyoming. W.S. §21-2-406(a)(iv).

The private school must submit evidence of compliance with the licensing requirements stated in W.S. §21-2-401 through W.S. §21-2-407 and an application on such forms required by the Wyoming Department of Education. Each year, the private school must submit an application to renew the license and the school's annual report by July 1, using the forms prescribed by the Wyoming Department of Education along with a \$200 application or renewal fee. [Chapter 18, Section 17, Wyoming Department of Education Rules and Regulations](#).

Non-Profit or For-Profit: No publicly available information

Commercial Space: No publicly available information

Liability Insurance: No publicly available information

Compulsory Attendance: Every child between ages 7 and sixteen must attend school. Private schooling satisfying compulsory education requirements, as does participating in an approved homeschool program.

([Wyoming Statutes Title 21](#) pg. 112-113)

Length of School Year and Day: K-12 private schools must be open during the entire time that the public schools are in session in the district in which the pupil resides in order to satisfy compulsory attendance law. (Public schools are required by statute to operate 175 days each school year unless an alternative schedule is approved by the state board.) [W.S. §§21-4-102\(a\); 21-4-301](#).

Curriculum: Applicable only to K-12 private schools, all students in licensed non-religious private schools must meet the student performance standards at the level set by the school in: (a) reading/language arts; (b) social studies; (c) mathematics; (d) science; (e) fine arts and performing arts; (f) physical education; (g) health and safety; (h) humanities; (i) career/vocational education; (j) foreign cultures and language; (k) applied technology; and (l) government and civics, including state and federal constitutions in accordance with *W.S. §21-9-102. Chapter 18, Section 7, Wyoming Department of Education Rules and Regulations*.

Applicable only to K-12 private schools, all students in licensed non-religious private schools must meet the student performance standards at the level set by the school in the following skills: (a) problem solving; (b) interpersonal communications; (c) keyboarding and computer applications; (d) critical thinking; (e) creativity; and (f) life skills, including personal financial management skills. *Chapter 18, Section 8, Wyoming Department of Education Rules and Regulations*.

Applicable only to K-12 private schools, Wyoming curriculum requirements “do not require any private school or home-based educational program to include in its curriculum any concept, topic or practice in conflict with its religious doctrines or to exclude from its curriculum any concept, topic or practice consistent with its religious doctrines.” *W.S. §21-4-101 (a)(vi)*.

Licensed non-religious, K-12 private schools must provide “...instruction in the essentials of the United States Constitutions and the Constitution of the State of Wyoming, including the study of and devotion to American institution and ideals.” [Chapter 18, Section 9, Wyoming Department of Education Rules and Regulations](#).

Health and Safety Requirements: Students attending K-12 private schools must provide documentary proof of immunization within 30 days after the date of school entry. School administrators must not permit a student to attend school beyond that time without proper immunization. *W.S. §21-4-309*.

K-12 private schools are required to conduct a fire drill at least once every month. If a paid fire department is maintained in the area, the school must request a representative to attend and offer instruction and constructive criticism. *W.S. §35-9-505*.

Teacher Certification: Professional educational staff in non-religious private elementary and secondary schools must have a certificate with the necessary endorsements for the specific assignments assigned in accordance with the rules established by the Wyoming Department of Education. If any professional parents and the public that the teacher is not certified by the state. [Chapter 18, Section 12, Wyoming Department of Education Rules and Regulations](#). These rules do not apply to any parochial, church or religious school as defined by *W.S. §21-4-101(a)(iv)*

Testing: Testing is not required under the private school licensing statutes. ([Wyoming Statutes](#))

Transportation: Applicable only to K-12 private schools, “Transportation used for students as part of the private school’s educational program shall comply with the most recent edition of Wyoming Pupil Transportation Manual.” [Chapter 18, Section 13, Wyoming Department of Education Rules and Regulations.](#)

Recordkeeping and Reports: Applicable only to K-12 private schools, private school must provide an annual report to the State Board of Education that includes: (a) Number of students enrolled in the school on October 1st of the school year by grade (K-12); number of students dropping out of grades 9-12 during the school year; number of students completing high school and receiving a diploma issued by your school during the end of the school year; (b) Performance metrics on assessments; (c) Number of days students are in school; number of instructional hours each day; (d) The school’s recommended course of study for college-bound students and percent of students who have successfully completed the course of study; (e) The number of students involved in extra-curricular activities and events; (f) School improvement goals; and (g) Number of English learner Students enrolled in the school; name of English language proficiency assessment used to determine English language status; score for each student reported. [Chapter 18, Section 15, Wyoming Department of Education Rules and Regulations.](#)

Reimbursement for Performing State and Local Functions: There is no state policy at this time pertaining to reimbursement for performing state and local functions in private schools. ([Wyoming Statutes](#))

Virtual/Online Schools

Wyoming Department of Education: https://edu.wyoming.gov/downloads/distance-ed/Ch41_CLEAN.pdf

According to the Wyoming Department of Education, “These rules are promulgated by the Wyoming Department of Education in consultation with the Wyoming State Board of Education and the Wyoming Professional Teaching Standards Board under the authority of W.S. §21-2-202(a)(xxxi) and W.S. §21-13-330.

Wyoming Virtual Education Program means a network of Department-approved virtual education programs and courses that meet state-established guidelines for course content and delivery.

- The Department shall annually review and approve full-time and part-time virtual education programs, and the specific courses to be offered, which together shall constitute the Wyoming virtual education program.
- A district must seek approval to operate as a full-time virtual education provider, a part-time education provider, or both full- and part-time virtual education provider, regardless of whether the district intends to offer virtual education courses to students enrolled within the district or to students enrolled in other Wyoming districts, or both.
- Unless offering one or more virtual education courses as part of its educational program, a district is not required to seek approval to operate as a virtual education provider if one or more students enrolled in the district is concurrently enrolled with a district that is an approved part-time virtual education provider.
- Subject to the requirements established in this rule, as well as other applicable state and local laws and regulations, a district that seeks approval as a full- or part-time virtual education courses of the following types:

- A course that meets the definition of virtual education pursuant to Section 2(o) of this rule and that is designed and delivered by the district utilizing a virtual education teacher employed by the district to provide course instruction;
 - A course that meets the definition of virtual education pursuant to Section 2(o) of this rule and that is procured from a vendor, which may be taught by a virtual education teacher provided by the vendor, and which may be a vendor operating in-state or out-of-state, or a Wyoming post-secondary institution; or,
 - A combination of district- and vendor-provided courses as described in paragraphs (i) and (ii) above.
- For School Year 2017-2018 and each year thereafter, prospective virtual education program providers shall submit a letter of intent to the Department by May 1 applying for inclusion in the Wyoming virtual education program and to be considered for the succeeding school year. The letter of intent shall provide:
 - Information on the district's intention to operate as a full-time virtual education provider, a part-time virtual education provider, or both a full- and part-time virtual education provider;
 - Information on the district's intention to limit student participation in its full- and/or part-time virtual education program to only students already enrolled in the district or to also make participation available to students enrolled in other Wyoming districts;
 - A virtual education program overview that describes general information such as the program's title, administrative contacts, method(s) of delivery, maximum allowed student to teacher ratios and instructor's course load, and proposed course offerings and capacity; and,
 - A signed assurance statement maintaining that the letter of intent has been approved by the local board and the district possesses the necessary financial, personnel, and technical infrastructure capacity to effectively operate the proposed virtual education program.
 - The Department will review all letters of intent submitted for consideration and approve only those from districts that have been accredited by the State Board pursuant to W.S. 21-2-304(a)(ii) and for which there is no evidence bringing into question the district's assurance that it possesses the necessary financial, personnel, and technical infrastructure capacity to effectively operate the proposed virtual education program. Following review, the Department may request additional information and may recommend that a district make changes to its letter of intent. If a letter of intent is denied, the district may seek reconsideration on the basis of new or additional information or other revisions made to the letter.
 - After the approval of the letter of intent, the prospective virtual education program provider shall submit a program application created from Department-approved templates and in accordance with any virtual education program guidelines published by the Department. The application shall provide:
 - A course evaluation narrative that describes:
 - The method(s) of course procurement, if applicable; and,
 - Procedures for course evaluation.
 - A student accountability narrative that details:
 - The enrollment requirements of the student, with information on the enrollment of students within the district and students enrolled by other districts as applicable;
 - A description of pre-enrollment consultation requirements, to include:

- A process to verify that the virtual education course(s) is appropriate to the learning capabilities of the individual student; and,
- Required virtual education training, simulations, readiness surveys, or experience prior to the start of class(es);
- For any course that is offered through a part-time, or a full-time virtual education provider in a brick and mortar setting, whether offered by a district to its own students or offered by another district, the anticipated roles and duties of the school in which the student has primary enrollment, which shall include the district's assignment of a learning coach to assist the student, monitor student progress throughout the duration of the virtual education course(s), assist with data collection and reporting, and communicate with the student's parent or legal guardian as appropriate;
- For any course that is offered through a full-time virtual education provider outside of a brick and mortar setting, the requirements and specific duties to be assigned to a family-designated learning coach, which shall include regular monitoring of student progress, ensuring that any necessary instructional support is provided, assisting with tracking and reporting student participation in virtual education, and other appropriate duties as may be assigned by the provider; and,
- An intervention plan to assist any student not performing satisfactorily or failing to achieve required progress.

Minimum requirements for virtual education teachers:

- Any virtual education course provided by a school district established pursuant to the laws of this state shall have a designated instructor who shall be the virtual education teacher for the course and who must meet the requirements of W.S. § 21-7-303.
- Any district offering a virtual education program shall require any teacher assigned to teach an active virtual education course to complete, on an annual basis, at least one (1) workshop focused primarily on using virtual education methods to instruct students. Any workshop used to satisfy this minimum requirement shall be at least seven (7) hours or the equivalent. For any virtual education teacher subject to the requirements of 21-7-303(a), the workshop used to satisfy this requirement shall be approved by the Wyoming Professional Teaching Standards Board.
- The Department shall annually monitor district adherence to the minimum requirements for teacher professional development and shall obtain from the Professional Teaching Standards Board and the district, as necessary, information on teacher participation in required workshops.

Assessment and Accountability: Students enrolled in virtual education course(s) shall not be exempt from state or district assessments.

Each student participating in a virtual education course(s) shall be subject to the Wyoming statewide assessments as required by W.S. § 21-2-304(a)(v); and the assessment shall be administered and monitored by a state-trained assessment administrator.

Student performance, accountability, state and district assessment results, and accountability as required by W.S. § 21-2-204 shall be the responsibility of the district in which the student is enrolled.” ([Wyoming DoE](#)).

Micro Schools/Learning Pods

Wyoming Department of Education – Opportunity Through Education:

<https://edu.wyoming.gov/for-district-leadership/home-schools/>

According to the Wyoming Department of Education, “In Wyoming, Homeschooling is defined by State Statute 21-4-101(a)(v): “A home-based educational program means a program of educational instruction provided to a child by the child’s parent or legal guardian or by a person designated by the parent or legal guardian.”

A home-based educational program must meet the requirements of a Basic Academic Educational Program, which is defined in State Statute 21-4-101(a)(vi) as a program providing a sequentially progressive curriculum of fundamental instruction in seven subjects: reading, writing, mathematics, civics, history, literature, and science.

Home-based educational programs must meet these requirements:

- Provide a letter of intent or complete the district homeschool registration form
- Submit curriculum to the local district each year
 - Provide a summary of your curriculum to your local school district office
 - The curriculum must include Reading, Writing, Literature, Math, Science, History, and Civics
- Failure to submit the curriculum is evidence that the home-based educational program does not meet the requirements.” ([Wyoming DoE](#))



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