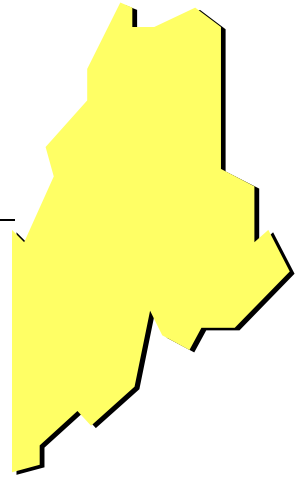


MAINE



Private schools may voluntarily seek to become approved by the state or may voluntarily seek accreditation through a regional accrediting agency (which automatically confers state approval). Neither option is mandatory. Schools seeking approval can be approved either as regular schools or as “nontraditional limited-purpose” schools.

ACCREDITATION, LICENSING & APPROVAL

Applies to approved private schools

- The commissioner of education may inspect a private school seeking state approval.
- The state Board of Education may withdraw approval from a private school for failure to comply with state laws and regulations. The school is notified and a hearing is held to decide the status of the school.
- A private school may seek status as an “approved nontraditional limited-purpose school” if it demonstrates a commitment to the educational process and to the state’s youth and has clear educational objectives; an established educational plan; safe and healthy facilities; school health services such as a school nurse; necessary instructional equipment; faculty with appropriate credentials approved by the state Board of Education or endorsed by professional board; written emergency procedures; and a willingness to work with state public schools. Students may receive high school credits for programs completed at such schools. These schools are ineligible for state subsidies.
- Private schools may be accredited through regional accrediting agencies, such as the New England Association of Colleges and Secondary Schools. Accreditation automatically confers state approval. Private schools seeking accreditation must make available to the state Board of Education all reports related to accreditation and must notify the board if the school is not accredited or is put on probation.

TRANSPARENCY & REPORTING

Applies to all private schools

- Students attending private schools must file with the local school board a certificate signed by the head of the private school verifying that they are enrolled.
- Private schools must maintain adequate and safely protected records.
- Private schools must release school records when students transfer from a private school to a public school.
- Twice a year, the principal of a private school must inform the state commissioner of education of the number of students attending the school.
- The commissioner of education may inspect any school that receives public funds.

Applies to approved private schools

- Every year, approved private schools must furnish the state auditor with satisfactory proof that the books, accounts and financial documents of the school for the preceding financial year are accurate and on file. Audits by the state auditor may be requested by three or more elected officers of the private school.

CURRICULUM & ACADEMICS

Applies to all private schools

- Instruction in private schools must be in English, but schools may use bilingual techniques for students of limited English proficiency and schools may teach second languages to students who already speak English.
- Private schools that exclusively serve exceptional students and receive state aid must seek approval of all tuition rates from the commissioner of education.
- The commissioner may investigate complaints against private schools that serve exceptional students.
- No vivisection of live animals may take place in private schools. Dead animals may be dissected as part of class exercises as long as the dissection is confined to the classroom and to the students engaged in the class. Live animals kept as classroom pets must be treated humanely and not left unattended when schools are not in session.
- Municipalities may provide private school students with the standardized tests and test-scoring services used in that district.

Applies to approved private schools

- Approved private high schools must have a student-teacher ratio of no more than 30 to one.
- Approved private high schools must include at least two consecutive grades from nine to 12.
- Approved private schools must meet for at least 180 days, with at least 175 days devoted to instruction.
- Approved private schools must follow a state-mandated curriculum, including requirements for minimum time spent on subjects and performance standards.
- Approved private schools may participate in the state academic-assessment program but must pay a fee to cover materials costs.
- Approved private schools must employ certified teachers.
- A principal of an approved private schools must have a principal's certificate. The certificate is valid for five years and then must be renewed based on further approved study or demonstrated professional growth.

HEALTH & SAFETY

Applies to all private schools

- Private schools must document that each student has been immunized, maintain a record of the immunization status of each student and file an annual report to the director of the state Bureau of Health summarizing the immunization status of the student body. A student may provide a written statement from a physician that immunization is unnecessary or inadvisable. Students may seek exemption from immunization requirements for religious reasons. Students who have not been immunized can be excluded from school during the outbreak of a disease.
- Municipalities may provide physician, nursing, dental and optometric services to students within a district or municipality. These services may be provided in the private school.
- Medication may not be administered by personnel at private schools except as directed by a physician, dentist or parent. Private schools must have a written policy for dealing with students who self-administer medicine such as asthma inhalers or epinephrine pens.
- Private schools must develop policies on the use of timeout rooms and/or therapeutic restraint and must comply with state regulations. Each use of a timeout room or restraint must be documented according to guidelines established by the state.

Applies to approved private schools

- Approved private schools must meet state standards for hygiene, health and safety.
- A criminal background check is included in the certification process for teachers.
- An approved private school may not use an aversive therapy to modify student behavior, such as hitting, slapping, etc.

MISCELLANEOUS

Applies to all private schools

- Municipalities may provide transportation for students to non-profit private schools.
- Municipalities may loan textbooks purchased for public schools to private school students or their parents. Parents and students must make a request for such books through the private school, which will relay the request to the local public school.
- Municipalities may provide private school students with remedial services, instructional material and equipment, as long as they also are available to the public school students of the municipality.
- Sales of meals by private schools are tax exempt.



This list was compiled by the Friedman Foundation for Educational Choice based on publicly available laws and regulations. In each state we sought the assistance of the state's Department of Education in ensuring the accuracy of our information. However, given the enormous volume of relevant laws and regulations, some errors or omissions may still occur. The Friedman Foundation welcomes suggestions for corrections or additions to this list. For more information on the regulation of private schools, see "Fifty Educational Markets: State Laws and Regulations Governing Private Schools" by Friedman Foundation Senior Fellow Chris Hammons.