

STATE OF MAINE
Department of Education

**Guidelines for Private Schools Recognized by the
Department as Providing Equivalent Instruction**

SUMMARY: These guidelines are designed to provide a procedure whereby a private school, which has chosen not to seek approval by the Department of Education, pursuant to 20-A, M.R.S.A. §2901 et seq., may voluntarily provide information to the Commissioner and/or to the Superintendent(s) of the public school administrative unit(s), establishing that students attending the private school are receiving equivalent instruction, for purposes of compliance with the compulsory school attendance law, 20-A M.R.S.A., §5001 et seq.

Section 1. The Commissioner promulgates these guidelines to govern the determination that a student is being afforded equivalent instruction within the meaning of 20-A, M.R.S.A. §5001 in a private school recognized by the Department as providing equivalent instruction.

Section 2. A private school recognized by the Department as providing equivalent instruction may file with the Commissioner an annual letter. Receipt of the annual letter by the Commissioner shall be within two weeks after the opening of the school, or by October 1st, whichever first occurs, and shall constitute sufficient evidence to establish the students in attendance at the school are receiving equivalent instruction, for purposes of compliance with the compulsory attendance law. The annual letter shall be signed by the chief administrative officer of the private school.

Section 3. The chief administrative officer of the private school recognized by the Department as providing equivalent instruction shall state in the annual letter the following information:

- a) **Basic Curriculum:** That the school provides instruction, appropriate to its grade levels, in the English language, consisting of reading, writing, spelling, grammar, mathematics, science, American history, Maine history and geography and civil government, including the privilege and responsibility of citizenship, health education and fine arts.
- b) **Teachers:** That all teachers in the school who teach the curriculum in Section 3(a), have been examined and approved for competency, by the administration of the school.
- c) **School Year:** That the school will be in operation a minimum of 175 days or 875 hours.
- d) **Fire, Health, and Safety:** That the school is in compliance with all applicable state and local fire, health, and safety laws.
- e) **Academic Assessment:** That the following information regarding academic assessment is furnished to the parents for each student, as applicable: (1) method(s) of assessment used, (2) subjects in which assessment is made, (3) grade levels at which assessment is made, and (4) results of assessment. In addition, it shall be stated in the annual letter that parents shall be furnished academic progress reports a minimum of 4 times annually.
- f) **Attendance Notification:** That the school will comply with the requirements of Section 4.

Section 4. The chief administrative officer of the private school shall submit in writing, within 2 weeks after the opening of the school, or by October 1st, whichever first occurs, the names, residences, and grade levels of the students attending the school. This information shall be submitted to the Superintendent(s) of the public school administrative unit(s) in which the students reside. This report shall be updated as necessary.

Section 5. The Commissioner shall develop an annual roster of the private schools that are recognized by the Department as providing equivalent instruction under these guidelines. The Commissioner shall give annual notice of the equivalent instruction option to each existing and newly-created private school.

Section 6. The chief administrative officer of the private school recognized by the Department as providing equivalent instruction shall annually notify parents, in writing, of the school's commitment to fulfill these guidelines. The essence of each of the point in sections 3 and 4 shall be stated.

Section 7. Enforcement of Section 3 (a, b, c, e) shall rest solely with the public school superintendent(s) in conjunction with the Commissioner. Enforcement of Section 4 above, shall rest solely with the public school superintendent(s). Ultimate enforcement of Section 3 (a, b, c, e) and Section 4 in cases of non-compliance involves truancy prosecutions. Enforcement of Section 3(d) above, shall rest solely with the Departments of Health and Human Services and Public Safety, as specified in 22 and 25 M.R.S.A.