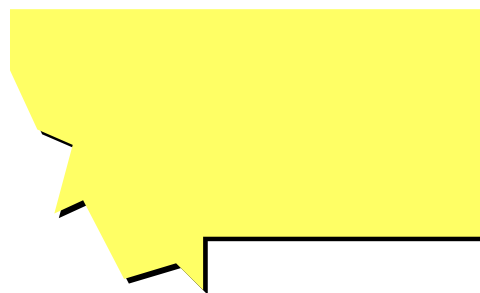


MONTANA



Private schools may voluntarily seek state accreditation.

ACCREDITATION, LICENSING & APPROVAL

Applies only to accredited private schools

- Private schools may be accredited by the state, if they wish, in the same manner as public schools.
- A private school may be accredited for one, two, three, four or five school years.
- When a school meets the regular accreditation standards with minor deviations, these deviations are noted on the annual accreditation status letter as minor citations. “Accreditation with advice” means the school exhibits serious and/or numerous deviations from the standards. The school must submit an improvement plan developed by trustees, administrators, teachers, parents and the community to the Office of Public Instruction. “Deficiency accreditation with assistance” means that the school has been on advice status for at least two years and continues to have serious and/or numerous deviations or has substantially increased the seriousness of deviations over the previous year. If a school on deficiency status fails to document that it has met its improvement plan, it loses its accreditation.
- Schools must employ certified teachers to maintain accreditation.
- Principals in accredited private schools must be licensed.

TRANSPARENCY & REPORTING

Applies to all private schools

- All private schools must maintain records on student attendance and disease immunization and make the records available to the county superintendent of schools on request.

Applies only to accredited private schools

- Each accredited private school must keep, in secure storage, a permanent file of students’ records, which must include name and address, parent, birth date, academic work completed, level of achievement (grades and standardized achievement tests), immunization records and attendance data.
- Each accredited private school must maintain a record of any educationally related disciplinary action taken against the student, with explanation.
- If a student is transferring out, accredited private schools must send a certified copy of the student’s permanent file, files containing the student’s special education records and education-related disciplinary records to the school district or accredited private school in which the student intends to enroll within five working days of receiving a request. If records cannot be forwarded within five days, the school must notify the student’s family providing the reasons for the delay, and the date by which the requested records will be transferred. A school may not refuse to transfer files because a student owes fines or fees.
- All inactive permanent records from a school that closes must be sent to the county superintendent or the appropriate county official.

CURRICULUM & ACADEMICS

Applies to all private schools

- Private schools must provide a minimum of 720 hours of instruction for grades one through three and 1,080 hours for grades four through 12.

Applies only to accredited private schools

- Accredited private schools must follow the Program Foundation Standards outlined by the state Board of Education.
- Accredited schools must follow a state-mandated curriculum that is grade-specific and lays out subject matter content and the number of units in each subject. For example, the basic education program for grades nine through 12 must be at least 20 units of coursework that enable all students to meet the content and performance standards. Minimum offerings must include at least four units of English language arts, three units of mathematics, three units of science, three units of social studies, two units of vocational/technical education, two units of arts, one unit of health enhancement, two units of world languages and two units of electives.
- At least every five years, accredited private schools must review and select materials and resources necessary for implementation of the state-mandated curriculum and assessment that are consistent with the goals of a five-year comprehensive education plan.
- Accredited private schools must use effective and appropriate multiple measures and methods to assess student progress in achieving content and performance standards in all program areas.
- Accredited private schools must meet state-mandated teacher-student ratios. In single grade rooms, the maximum class size is no more than 20 students in kindergarten and grades one and two; no more than 28 students in grades three and four; and no more than 30 students in grades five through eight. In multi-grade classrooms, the maximum class size is no more than 20 students in grades K through three, no more than 24 students in grades four through six, and no more than 26 students in grades seven and eight. In high schools, individual class size may not exceed 30 students.
- Accredited private schools must offer professional-development opportunities for teachers. Teachers and specialists annually must complete a minimum of three “pupil instruction-related” days dedicated exclusively to professional development.
- Accredited private schools must follow state guidelines for teacher aides and substitute teachers. Instructional aides assigned due to classroom size or diversity must be under the direct supervision of a certified teacher who is responsible for instruction and assessment of students. The supervising teacher must be available while the aide is fulfilling his other responsibilities and may not be simultaneously assigned to another teaching duty or preparation time. In cases where a regular, licensed teacher under contract is temporarily unable, by reason of illness or for other reasons approved by the school district board of trustees, to fulfill the teacher's duties, substitute teachers may be employed to carry on the duties of that teacher's position for a period not to exceed 35 consecutive teaching days. These substitutes need not hold a current license, but preference must be given to substitutes who are licensed.
- Accredited private schools must have a library housed in a central location and a full-time or part-time certified school library media specialist with a K-12 library media endorsement.
- Accredited private schools must provide a minimum equivalent of one full-time counselor for each 400 students in grades K-eight and a minimum equivalent of one full-time counselor for each 400 high school students (including grades seven and eight if high school funding is received).

HEALTH & SAFETY

Applies to all private schools

- Each private school must be housed in a building that complies with applicable local health and safety regulations.
- School buildings may not be built, enlarged or remodeled until the plans and specifications for construction have been submitted to and approved by the state Department of Labor and Industry or a municipality or county with a building code.
- Students may not enroll in a private school unless they have documentation of immunization or have been exempted from immunization due to religious reasons (which must be documented and maintained in the students' files) or a physician's statement that the immunization would be ineffective or harmful. If a student transfers from one school to another, the student's immunization records also must be transferred.
- The state may make public health inspections of schools. If public health deficiencies are found, the state may direct that conditions be corrected within a reasonable time.
- Private schools must permit the self-administration of medication by students with asthma if the parents provide written permission and documentation from a physician noting the specific dosages, method and medicine to be administered. The information provided must be kept on file in the office of the school nurse or the school's administrator. The school and its employees and agents are not liable as a result of any injury arising from the self-administration of medication by students.
- Private schools must hold at least eight disaster drills a year. At least four of the drills must be fire exit drills. Drills must be held at different hours of the day or evening to avoid distinction between drills and actual disasters.
- School bus drivers must be over 18 and of good moral character, and they must hold commercial driver's licenses, pass a medical examination, complete a first-aid course and meet other qualifications established by state and local education agencies.
- The sale of a controlled substance within 1,000 feet of a private school is a criminal offense.
- Private schools may organize student-led safety patrols to help determine when students should cross the street.

MISCELLANEOUS

- Any child attending a private school may ride a public school bus when there is seating capacity available by obtaining a permit from the operating district. When a private school child rides a public school bus, the operating district may charge the student a proportionate share of the cost of operating the school bus, as determined by the district trustees.
- Private school students going to and from school may receive free or reduced fares on public transportation.
- Property of private schools is exempt from state property tax.



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.