

NEW YORK



ACCREDITATION, LICENSING & APPROVAL

Applies to all private schools

- Private high schools that issue diplomas must register with the state. The state also maintains a voluntary registration system for secondary schools not issuing diplomas and for nursery and kindergarten schools. There is no registration system for schools in grades 1 to 8.
- Private schools must offer instruction equivalent to that of the local public schools. The state strongly recommends that local public school superintendents review private schools to determine equivalency of instruction.

TRANSPARENCY & REPORTING

Applies to all private schools

- Teachers must keep an accurate attendance record of each student in a form prescribed by the commissioner of education. These records are open to inspection.
- If a student transfers out, the old school must notify the new school or school district of the transfer.
- Private schools may withhold a student's grades and records if tuition and fees are unpaid.

CURRICULUM & ACADEMICS

Applies to all private schools

- English must be the language of instruction and textbooks must be written in English.
- State law mandates the following course requirements per grade, although the law allows some minor alterations at the high school level.
 - General instruction is mandated for all elementary and secondary schools in patriotism and citizenship, including the U.S. Constitution, the history of the United States and New York state and health education regarding abuse of alcohol, drugs and tobacco, highway safety and traffic regulations, fire drills and fire prevention.
 - In grades one through six, instruction must be given in reading, spelling, writing, English, arithmetic, geography, U.S. history, science, health education, music, visual arts and physical education (for at least 120 minutes a week).
 - In grades seven and eight, requirements are given in terms of units of study. A unit of study is 180 minutes of instruction a week throughout the school year or the equivalent. Instruction must be given in grades seven and eight in English (two units), social studies (two units), science (two units), math (two units), health (a half unit), art (half unit), music (half unit), physical education (half unit), technology education (one unit), home and career skills (three-quarters unit) and library and information skills (one period a week). The learning outcomes of technology education, home and career skills and library and information skills may be incorporated into subjects in other courses; this integration must be documented in writing and kept on file at the school.
 - In grades nine to 12, the following units of credit are required to meet state requirements for a Regents diploma: English (four units), social studies (four units), mathematics (two units), science (two units), health (a half unit), art/music (one unit), a second language (three units) and sequences and electives (two units). In addition, physical education must be taken each year a student is enrolled in high school at the rate of a half credit per year or the equivalent.
- Private schools must follow the civics curriculum of the public school system.

- Private schools must be in session for approximately the same amount of time as public schools, but no specific number of hours or days is required. Policy on permitted absences must follow the general rules and practices of public schools.
- Private schools must hire “qualified and competent” teachers, but no specific credentials are required.
- All students over age eight must receive physical education under the direction of the state commissioner of education, designed to aid in the well-rounded education of students and in the development of character, citizenship, physical fitness, health and the worthy use of leisure.
- Private schools must offer a fire safety and prevention class developed by the state.
- Private schools must offer a highway safety course that emphasizes pedestrian and bicycle safety.
- Private schools must offer a course on the importance of the ecosystem, have rules for the humane treatment of live animals in the classroom and prohibit experimentation on live animals except with a waiver from the state.
- Before graduating from high school, students must demonstrate competency by scoring at acceptable levels on Regents Competency Tests, Regents Examinations, College Board's Scholastic Aptitude Tests or American College Testing Program.
- The state recommends that private schools share standardized test results with the local public school superintendent during the first two or three years of the school's existence, and encourages the superintendent or a designee to visit the school annually during this period.
- Although private schools are not required to use a state syllabus or curriculum, state tests are based on the state's curricular materials. The state automatically sends all new state syllabi and curriculum supplements to every private school.
- Every school must establish and maintain a school library that meets the needs of its students and provides an adequate complement to the instructional program.
- Private schools must have a guidance program in grades seven to 12.

HEALTH & SAFETY

Applies to all private schools

- Coaches of private high schools' extracurricular athletic activities must hold a valid certificate in first aid knowledge and skills offered by the American National Red Cross and approved by the commissioner or meet equivalent requirements as certified by the commissioner.
- Private schools must include, as an integral part of health education, instruction designed to discourage the abuse of alcohol, tobacco and other drugs and promote attitudes and behavior that enhance health, well-being and human dignity.
- Students must provide documentation of immunization. Exemptions are allowed for health or religious reasons.
- Fire drills or rapid dismissals must be held at least 12 times a year. Eight of these drills must be held between Sept. 1 and Dec. 1. At least a third of the required drills must use fire escapes when they are available. During at least one drill, students must be instructed in the procedure to be followed if a fire occurs during lunch period; this instruction may be waived if a drill is held during the regular school lunch period. In buildings where students are provided residential accommodations, at least four additional drills must be held each school year sometime after sunset and before sunrise. In buildings where summer school is conducted, at least two additional drills must be held during summer, one of which must be held during the first week of summer school.
- Buildings containing classroom, dormitory, laboratory, physical education, dining or recreational facilities for student use must be inspected at least once a year for fire hazards. The state has extensive laws regarding fire safety and inspection in schools.

- Private schools must ensure adequate eye safety for classes or laboratories where eye hazards exist.
- Batboys and batgirls must wear protective headgear when players are active on the field.
- All school buses are subject to state safety inspections and requirements.

MISCELLANEOUS

- Upon parental request, local boards of education must furnish services to students who reside in and attend private schools located in the district. These services may include, but are not limited to, all services performed by a physician, physician assistant, dentist, dental hygienist, registered professional nurse, nurse practitioner, school psychologist, school social worker or school speech therapist, and also may include preventive dental services, vision and hearing examinations, the taking of medical histories, health screening tests, the maintenance of cumulative health records and the administration of emergency care programs for ill or injured students.
- Schools districts may choose to transport students to private schools if they are along the same route as the public schools and live a specified distance from the school. School districts providing transportation to private school students who don't live along the route, or who live too far from their schools to qualify for direct transportation, must designate one or more public schools as centralized pick-up points and provide transportation between these points and the private schools. School districts that provide transportation to private schools must provide it for the same number of days the public schools are open.
- Each year, the state commissioner of education reimburses private schools for costs incurred by them for compliance with state requirements of the student evaluation program, basic educational data system, Regents examinations, the statewide evaluation plan, uniform procedure for student attendance reporting and other similar state-prepared examinations and reporting procedures.
- Real property owned by nonprofit corporations or associations and used exclusively for educational purposes is exempt from property taxes.
- Local school boards are required to purchase and loan textbooks on an equitable basis to all private school students.
- Under a state computer software loan program, public school districts purchase and loan computer software programs to both public and private school students to be used as learning aids.



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.