

# TENNESSEE

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Tennessee classifies private schools into different categories. Category I schools are those accredited directly by the state Department of Education. Category II schools are accredited by an agency approved by the state Board of Education. Category III schools are members of the Southern Association of Colleges and Schools, a regional accrediting agency. Category IV schools are “church related” and exempt from regulations regarding faculty, textbooks and curriculum but must be accredited by approved accrediting agencies. Category V schools are not accredited but must follow regulations established by the state. Category VI is established for use with International Schools, but is not presently in use. And Category VII is for Special Purpose Schools and includes Pre-K schools, hospital schools or other schools that are accredited, but whose students are there for relatively short periods of time.

## ACCREDITATION, LICENSING & APPROVAL

### **Applies to all private schools**

- Category V schools – those that are not accredited either by the state or by private agencies – must seek state approval for operation by furnishing the following information by Nov. 1 of each year: name, mailing address and telephone number of the school; name and academic credentials of the principal or headmaster; number of students in each grade level as of Oct. 1 of current school year; name and academic credentials of each teacher and the subjects he or she teaches; and certification that the school year has the minimum number of instructional days and hours required in public schools. These schools must keep the curriculum on file and make copies available for inspection by the state Department of Education and the public upon request.

## TRANSPARENCY & REPORTING

### **Applies to all private schools**

- The state commissioner of education must inspect, approve and classify private schools that request Category I accreditation by the state, using the same standards of approval and classification that are used in public schools.
- The state Board of Education and local school boards may not prohibit or impede the transfer of a student from a church-related private school to a public school. Local boards may, however, place students transferring from a church-related school to a public school in a grade level based on the student's performance on a test administered by the board for that purpose. In school districts where the local board requires tests for students transferring into the district from another public school district, the same test must be administered to students transferring into the district from church-related schools.
- Private schools must keep daily attendance reports, verified by the teacher making the records, which must be open at all reasonable times to inspection by the director of schools of the local school district or a representative.
- Private schools must report in writing to the director of schools of the local school district the names, ages and residences of all students within 30 days after the beginning of the school year and make any other attendance reports, including reports of student transfers, required by the local school board or the state Board of Education.
- Private schools must report promptly to the director of schools of the local school district the names of all students who have withdrawn from school or who have been absent for any five days during the school year without adequate excuses. Each successive accumulation of five unexcused absences by a student also must be reported. Directors

- of schools must contact parents to notify them that school attendance is mandatory. If absences persist, the director of schools must contact local authorities.
- The commissioner of education appoints a nine-member Advisory Council for Private Schools to advise the Department of Education on policies relating to private school administration. Council members serve three-year terms and may be re-appointed.
  - Private schools that close must notify the superintendent of the local school district and the state Department of Education and place their student academic and attendance records in the office of the appropriate school administrator as follows:
    - Schools that merge, consolidate or undergo change of ownership may deposit their records with the continuing school
    - Schools that are a part of a system, organization, franchise or church ministry may deposit their records with the appropriate ongoing administrative office
    - Schools may deposit their records with another private school in the near vicinity
    - They may deposit their records with the local public school system.
    - The location of student records must be published in local newspapers.
  - Private schools must transfer the academic files of students who transfer to their new schools.

**Applies only to accredited private schools**

- Each accredited private school must develop, implement and communicate to students and parents a written policy on promotion and retention.

## CURRICULUM & ACADEMICS

**Applies to all private schools**

- The state Board of Education and local school boards are prohibited from regulating the selection of faculty, textbooks or curricula in church-related private schools.
- Every private high school that gives a four-year course in literary branches is subject to the same requirements as public high schools in regard to teaching American history and government. Failure to comply automatically removes a school from the list of accredited high schools (if applicable).
- Each teacher in Category V (non-accredited) schools must possess at least bachelor's degree, of which no more than 25 percent of course hours may have been taken through home study or correspondence.
- Category V schools must administer a nationally standardized achievement test covering the basic academic areas in grades two through eight and in grade 10. Results of the test must be used to improve the instruction of the students.
- Each school must operate the minimum number of instructional days and hours are required in public schools.

**Applies only to accredited private schools**

- Each teacher or principal in accredited private schools must hold a valid teacher's license or permit.
- Students may transfer among public schools or accredited private schools without loss of credit for completed work.
- Accredited private schools must teach reading, composition, speech, mathematics, social studies, science, art, music, health and physical education. Each student must meet the same minimum requirements for graduation as students in public schools.
- Each accredited private school must have classrooms, laboratories and libraries that are sufficient in number, adequate in space and constructed and arranged to be conducive to carrying on the assigned activities. Playgrounds and physical education facilities must be well maintained, free from hazards and large enough to permit an adequate program of physical education.

- Accredited schools must not exceed the following number of students per classroom: Kindergarten through grade three, no more than 25 students; grade four, no more than 28 students; grades five and six, no more than 30 students; grades seven through 12, no more than 35 students.
- At least once every school year, each accredited private school must give a nationally standardized achievement test covering reading, language arts, spelling, math, science and social science to each student in grades two through eight and in grade 10; the results must be communicated to teachers and parents and kept on file at the school for one calendar year.

## HEALTH & SAFETY

### Applies to all private schools

- Students enrolling in private schools must provide proof of immunization or a written statement from the student's doctor excusing the student from immunization. Students may not be denied admission because they have not been immunized for medical reasons.
- Fire drills requiring full evacuation must be held at least once a month during the school year. Private schools that constitute the major occupancies of their buildings must conduct an additional fire drill within the first 30 days of operation and an additional drill at least once every two months. A record of all fire drills, including the time and date, must be kept in the school or institutional offices and must be made available on request to the state fire marshal or the marshal's representatives for inspection and review.
- All doors serving as exits must be kept unlocked while a school building is occupied.
- In addition to fire drills, safety drills not requiring full evacuation of all people from the building must be conducted at least three times each school year. A record of all safety drills, including the time and date, must be kept in the school offices and must be made available on request to the state fire marshal or the marshal's representatives for inspection and review.
- No one may possess or carry, openly or concealed, any firearm, explosive, explosive weapon, bowie knife, hawk bill knife, ice pick, dagger, slingshot, leaded cane, switchblade knife, blackjack, knuckles or any other weapon of like kind that is not used solely for instructional or school-sanctioned ceremonial purposes in any private school building or bus. Private schools must display, in prominent locations about the school, a sign at least six inches high and 14 inches wide stating: FELONY. STATE LAW PRESCRIBES A MAXIMUM PENALTY OF SIX (6) YEARS IMPRISONMENT AND A FINE NOT TO EXCEED THREE THOUSAND DOLLARS (\$3,000) FOR CARRYING WEAPONS ON SCHOOL PROPERTY. School officials must notify local law enforcement if they suspect a violation.
- No community residential facilities accommodating state or federal adult inmates on work release or other community release or pre-release programs may be established within 1,000 feet of a private school.

## MISCELLANEOUS

- Events or activities held for or sponsored 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.