PRIVATE SCHOOLS: GENERAL INFORMATION

**Frequently Asked Questions**

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ODE does not have oversight of **private schools** in **Oregon**; however, the **agency** works with the **Private School Partnership Committee** to encourage a spirit of cooperation and support for all of Oregon’s public and private school students.

# GENERAL PRIVATE SCHOOL QUESTIONS

## What is the definition of a private school in Oregon?

The working definition of a private school is a private elementary or secondary school operated by a person or by a private agency, offering education in kindergarten or grades 1 through 12.

## Is there additional information on pre-kindergarten private schools?

Yes, the [Early Learning Division](https://oregonearlylearning.com/) of the Oregon Department of Education, in most circumstances, has jurisdiction over pre-kindergarten programs.

## Are private schools exempt from Oregon’s compulsory education laws?

Yes, [ORS 339.030 (1) (a)](https://www.oregonlaws.org/ors/339.030) exempts all children between the ages of 6 and 18 years of age if they are being taught in a private or parochial school in the courses of study usually taught in kindergarten through grade 12 in the public schools and in attendance for a period equivalent to that required of children attending public schools in the 1994-1995 school year.

## Does a private school receive state school funds?

No, a private school does not receive state school funds. There may be very limited circumstances in which private schools are included in a legislative initiative and/or program.

## Are there public funds available for a student’s tuition at a private school?

No, there are no state programs in Oregon that offer public funding for private school tuition. The only exception is when a student with a disability is placed in a non-public school by a public school district.

## Do private schools need to register with the Oregon Department of Education?

Private schools do not need to register with the Oregon Department of Education unless they are contracting with a public school district to provide services. Specific registration information for private alternative schools can be found on ODE’s [Alternative Education](https://www.oregon.gov/ode/learning-options/schooltypes/AltEd/Pages/default.aspx) webpage.

## Does ODE regulate private schools?

No. ODE has no statutory authority to regulate or monitor private schools.

## What laws apply to private schools?

A private school is a business or nonprofit entity that is required to comply with requirements imposed by the jurisdiction, county, city, or other locality in which it is located. This includes zoning, health and safety codes, mandatory reporting, fire codes, student records, or other local ordinances. This list is not exhaustive. Please check with local, county and state resources.

## Are there resources available to assist with school facilities guidance?

The [Oregon School Facilities Management Association](https://www.osfma.org) is a resource that promotes and develops the highest degree of professionalism in the planning, safety, and operations of school facilities designed to insure student success through safe, healthy, effective learning environments.

## Does the Integrated Pest Management (IPM) law apply to private schools?

Yes. [Oregon law](http://blogs.oregonstate.edu/schoolipm/files/2017/09/Full-text-of-ORS-634.700-634.750.pdf) requires each private and public K-12 school to have **and implement** an **IPM plan**.  The governing body of each school is required to **designate an IPM Plan Coordinator**, and the coordinator is required to **attend annual IPM training**.  Here is a [short fact sheet about IPM and the school IPM law](http://blogs.oregonstate.edu/schoolipm/files/IPM-in-Schools-Legal-Requirements-Practical.pdf).  
  
The OSU School IPM Program provides information and assistance for schools that are developing their IPM plan; and training that meets the annual training requirement. For more information, [visit the OSU School IPM Program website](http://blogs.oregonstate.edu/schoolipm/files/IPM-in-Schools-Legal-Requirements-Practical.pdf) (all trainings are listed at the right side of the website).

## Are there additional resources for private schools?

Yes, please feel free to visit the following websites for additional useful resources:

* [National Association of Independent Schools](https://www.nais.org/about/)
* [Council for American Private Education](http://www.capenet.org/member.html)
* [Office of Non-Public Education](https://www2.ed.gov/about/offices/list/oii/nonpublic/index.html)

## Is there an approval process for private schools?

Private schools are not approved by ODE. A private school must meet all state and local health, safety, and fire and building codes.

Please download the [Do the Drill](https://www.oregon.gov/osp/Docs/DoTheDrill.pdf)​ document and visit the [Resources for Developing High-Quality Emergency Operations Plans (EOP) webpage](https://www.oregon.gov/ode/schools-and-districts/grants/Pages/Resources-for-developing-high-quality-Emergency-Operations-Plans-%28EOP%29.aspx#State), which include useful information specifically relating to building and fire safety.

## Do Oregon’s compulsory attendance law apply to private schools?

Private schools are exempt from Oregon’s compulsory attendance laws. However, a private school should ensure students’ attendance is equivalent to that required of public school students. Private schools should also ensure their students acquire the same knowledge as that acquired in courses of study taught in kindergarten through grade 12 in the public schools (ORS 339.030).

## Do private school teachers need to be licensed?

There is no requirement that private school teachers obtain or maintain a valid teaching license. Each school develops their own policy on teacher qualifications.

## Do private school teachers and staff need to be fingerprinted and have criminal background checks?

A private school is not required to fingerprint and conduct criminal background checks on teachers and staff. However, a private school may request the [Oregon Department of Education](https://www.oregon.gov/ode/schools-and-districts/ptf/Pages/Fingerprinting.aspx) to fingerprint and conduct a criminal background check on any teacher or staff member who has direct, unsupervised contact with students. Although fingerprinting and background checks are not required, it is highly recommended that any teacher and/or staff who has direct, unsupervised contact with students should be fingerprinted and have a criminal background check. (ORS 326.603 (2)(b)). Each private school may have its own fingerprinting process-[Fieldprint Fingerprinting](https://fieldprintoregon.com/) is one resource many schools and districts use.

## Can a student attend a private school that is outside his/her resident district?

Yes, a student may attend a private school outside of his/her resident district.

## Can a private school student participate in public school/district activities?

Most districts have policies on private school participation in school activities. In addition, [Oregon School Activities Association](http://www.osaa.org/) has very specific rules about the participation of private school students in public high school activities.

## What is the difference between a private school and a private alternative school?

Private school is an elementary or secondary school operated by a person or by a private agency offering education in prekindergarten, or grades 1 through 12.  
  
Private alternative school is a school or separate class group designed to best serve students’ educational needs and interests and assist students in achieving the academic standards of the school district and the state.

## Can a private school student take classes at a public school?

Most districts have policies on non-public school students taking classes at a public school. In many cases, this is based on space availability. The district may charge a tuition fee.

## Is a private school required to do State Testing?

A private school is not required to participate in statewide testing. However, many private school do use some form of summative testing (SAT 10, Iowa Basic, MAPS, NAEP etc.).

## Are public schools required to accept credits from a private school if a student transfers to a public school?

Public schools are not required to accept credits from private schools. Public school districts have the responsibility to evaluate the appropriate placement for a student.

## Can private schools grant diplomas?

Private high schools have the authority to set their own graduation requirements and grant their own diplomas. However, many private high schools include the state minimum graduation requirements in order to ensure that students transitioning to or from public schools have less disruption in their progress toward graduation. Many private high schools are accredited to ensure a smoother transition into post-secondary institutions. For additional information, please visit ODE’s [Oregon Diploma](https://www.oregon.gov/ode/students-and-family/OregonDiploma/Pages/default.aspx) webpage.

## What are the minimum graduation requirements needed to earn a diploma at a public high school?

For graduation information, please visit ODE’s [Oregon Diploma](https://www.oregon.gov/ode/students-and-family/OregonDiploma/Pages/default.aspx) webpage.

## Do the required instructional time rules apply to private schools?

Private schools are not required to follow the [instructional time rules](https://www.osba.org/News-Center/Announcements/-/media/Files/News/2017-01-12-ODE-Instruction-time-rules.pdf?la=en); however, it is recommended that the private school’s educational program be on par in terms of hours and curriculum.

## Does a private school need to be accredited?

A private school does not need to be accredited. However, a majority of Oregon’s private high schools choose to go through the accreditation process. [Accreditation](http://www.advanc-ed.org/oasis2/u/par/search) serves as a consumer protection purpose. It provides assurance that the school or program has been evaluated and has met accepted operational and program standards . Although there are no guarantees, most colleges and universities accept transcripts from high schools that are fully accredited.

## Do private schools need to follow specific policies for early elementary (K-3) education?

Private schools are not required to follow specific policies for K-3, although it is recommended that each private school review [Oregon’s Policies](https://reports.ecs.org/comparisons/view-by-state/98/OR) posted on the [Education Commission](https://www.ecs.org/) website, which includes entrance age, assessments, instruction time etc.

## Is a private school responsible for providing transportation?

A private school is not responsible for providing transportation. Please see ODE’s [Pupil Transportation](https://www.oregon.gov/ode/schools-and-districts/ptf/Pages/Pupil-Transportation.aspx) webpage and [ORS 332.415](https://www.oregonlaws.org/ors/332.415) for additional information on student transportation and vehicle safety.

## What is the closure process for a private school? Where are student records stored?

There is nothing in statute or rule that requires a private school to have a closure policy/procedure. However, it is highly recommended that each school have a closure process in place that includes retention of student records, tuition reimbursement, if applicable, and any other record keeping required at the local or state level.

## Are private schools required to follow student record laws and rules?

Yes, all laws and rules regarding student records apply to private schools. ORS 326.565-575 requires student records be sent out within 10 days of the request. Student records may not be withheld if the student/family owe tuition or fees.  
  
Upon school closure, it is important to arrange with the local school district, ESD or private school organization (i.e. Archdiocese of Portland) for the retention of all student records.  
  
Please refer to ODE’s [FAQ's about Student Records](https://www.oregon.gov/ode/students-and-family/Documents/student_records_faq.pdf) document for additional information on student records.

## Are private schools required to provide Special Education services to their students?

The Individuals with Disabilities Education Act (IDEA) and state law permit some special education and related services may be available for children with disabilities enrolled by their parents in nonprofit private elementary and secondary schools, including religious schools. These special education services, referred to as equitable services, differ from those available in public schools. Please refer to ODE’s [Special Education for Private School Students](https://www.oregon.gov/ode/learning-options/schooltypes/private/Pages/Special-Education-for-Parentally-Placed-Private-School-Students.aspx) webpage for additional information on this topic.

## Does ODE collect or store private school student records, transcripts or diplomas?

No, ODE does not collect or store any private school student records, transcripts or diplomas.

## What is the best way to obtain student records if a school has closed?

The best way to obtain school records is to begin with the district in which the private school was located and give them as much information that is available (year, location, affiliation etc.). In some cases, student records are retained at the Education Service District in which the school was located. Please refer to Wikipedia’s [Oregon Education Service Districts (ESDs)](https://en.wikipedia.org/wiki/Education_service_district_(Oregon)) for specific information.  
  
If the private school was part of a religious or secular organization’s school system, such as Catholic, Lutheran or Jewish schools, student records from the private school may be available through the organization's headquarters or regional office.  
  
Parents who are concerned about the continuing availability of private school records should ask the private school their child attends what plan the school has for storing records in the event the school closes.

## How would I get a job at a private school?

Private schools are completely independent of CDE. Anyone interested in employment in private school should contact each private school directly about available teaching positions.

## Is there a complaint process for private schools?

ODE has no authority over private schools. Private schools usually have a complaint procedure policy in the parent/student handbook. Depending on the nature of the complaint, the following resources may be helpful:

* [Child endangerment/abuse reporting](https://www.oregon.gov/DHS/children/child-abuse/Pages/Reporting-Numbers.aspx)
* [Secretary of State Consumer Protection Division](https://sos.oregon.gov/business/Pages/business-consumer-complaints.aspx)
* [Oregon’s Better Business Bureau](https://www.bbb.org/consumer-complaints/file-a-complaint/get-started)
* [Workplace Harassment (Bureau of Labor and Industries)](http://www.oregon.gov/boli/TA/docs/ta_col_02-28-2012_harassment.pdf)
* [Oregon Civil Rights Division](https://www.oregon.gov/BOLI/CRD/pages/index.aspx)
* [Workplace Harassment (Oregon Occupational Safety and Health)](http://osha.oregon.gov/workers/Pages/Protect-against-retaliation.aspx)

## Can a private school require that all students be immunized or, in the alternative, allow non-immunized students to attend school?

A private school may require that all students are immunized as a condition of attendance; however, a private school may not allow non-immunized students to attend the school unless they meet a medical or non-medical exemption. As a condition of attending school, students must provide evidence of immunization or a medical or non-medical exemption.

## Do private schools have to display Domestic Violence Resource Posters?

Yes, SB-197 requires private schools to display Domestic Violence Resource Posters in a highly visible area (the number and location of the posters are not specified). The Private School can download the posters from the ODE website and print them. [English](https://www.oregon.gov/ode/students-and-family/healthsafety/Documents/dvpposter.pdf) and [Spanish](https://www.oregon.gov/ode/students-and-family/healthsafety/Documents/dvpposterspanish.pdf) versions are available; or the Private School can request that the ODE send them printed posters by emailing the ODE Front Desk at [Ode.frontdesk@ode.oregon.gov](mailto:Ode.frontdesk@ode.oregon.gov).

# DEFINITIONS

ODE Oregon Department of Education

ESD Education Service District

OAR Oregon Administrative Rule

ORS Oregon Revised Statute

# RESOURCES

* [National Association of Independent Schools](https://www.nais.org/about/)
* [Council for American Private Education](http://www.capenet.org/member.html)
* [Office of Non-Public Education](https://www2.ed.gov/about/offices/list/oii/nonpublic/index.html)
* [Oregon Federation of Independent Schools](http://www.ofisweb.org/)
* [AdvancED](https://www.advanc-ed.org/)