

**File: LBC**

## **RELATIONS WITH NONPUBLIC SCHOOLS**

A private school is an independent school, not administered by local, state or national governments, whose staff provide an on-going broad based curriculum for the purposes of regular instruction to replace that required by the Public Schools to a group of more than 1 child, where the children are not members of the same family.

Under state law, the School Committee must vote to approve a private school that falls within its physical area of jurisdiction (town boundaries) and that the requirements for such approval include information that the private school is preparing students well in curriculum matters that are provided in the local public schools.

In accordance with state law, the School Committee will approve a private school serving students in any of the grades K-12 when it is satisfied that the instructional program of the school is equal to that of the town's public schools. The School Committee may vote to approve or disapprove the private school based on the Superintendent's recommendation.

According to this policy, the Superintendent's recommendation and the School Committee's decision on whether or not to approve a private school should be made only after a review of the following criteria.

### **1) Population To Be Served**

Admissions criteria; documentation of school's enrollment

### **2) Physical Plant/Safety**

- a) The school must show evidence of current: i) Certificate of Occupancy ii) Fire inspection iii) Safety inspection iv) Elevator inspection, if applicable v) Compliance with lead paint poisoning prevention (for children under 6 years old) vi) Compliance with other applicable federal and state health and safety standards (e.g., PCB, asbestos inspections, handicap accessibility) vii) Copies of valid safety and health inspection certificates
- b) The site, plant, and equipment must adequately support the program and are operated to ensure the safety and health of the students.

### **3) Curriculum**

The curriculum offered is "equivalent" to that offered in the local school system generally and, specifically, in terms of the following instructional areas: i) mathematics ii) science and technology iii) history and social studies iv) English Language Arts v) foreign languages vi) the arts, including music education vii) physical education

### **4) Educational Materials**

Textbooks and individual instructional materials, including computers and other technology, are adequate.

### **5) School Staff**

The instruction provided is "thorough and efficient" based on: i) teacher qualifications ii) adequate student/teacher ratio iii) regular evaluation of staff iv) the school principal reviews criminal offender record information (CORI) of current and prospective

employees and volunteers, as required by law

**6) Administration**

The school has a clearly defined organization that facilitates its objectives.

**7) Records**

- a) The school maintains an adequate system of student records (e.g., attendance, health, discipline, progress reports).
- b) The student records are kept in a secure and organized manner that is consistent with federal and state student record laws to the extent applicable.
- c) The school maintains and timely provides transcripts in response to requests of students and former students in accordance with G.L. c. 71, § 34A.D. The school is prepared efficiently to transfer transcripts of all students and former students to the Massachusetts Department of Elementary and Secondary Education and/or other schools should it cease operation, in accordance with G.L. c. 71, § 34G.

**8) Student Services**

The school provides adequate pupil personnel services for all students (e.g., health care procedures, guidance and counseling programs, discipline policy).

**9) Financial Support**

- a) The school provides evidence of financial solvency and resources to sustain the educational program.
- b) The school presents documentation of its legal status. These may include copies of the articles of incorporation and the certification of tax exempt status.

**10) Student Learning Time**

The school provides adequate student learning time (length of school year and school day) and hours of instruction in each subject. It should be noted that the Student Learning Time regulations, as such, do not apply to private schools.

**11) Student Performance Assessment**

The school periodically evaluates students' skills, competencies, and knowledge and documents their progress.

The School Committee's approval is valid unless substantial changes are made in the private school's program, at which point the private school must seek re-approval. The School Committee will notify the Department of Elementary and Secondary Education when it approves or disapproves a private school.

Every 3 to 5 years, the School Committee will review all private schools based on the above-mentioned criteria.

The supervisory officers of all private schools shall, within thirty days after the enrollment or registration of any child of compulsory school age, report his name, age and residence to the Superintendent of schools of the town where the child resides; and whenever a child withdraws from a private school, such officers shall, within ten days, notify said superintendent. (MGL Chapter 72:2)

The Department of Elementary and Secondary Education has responsibility under G.L. c. 71B, § 10, to approve private schools that serve Massachusetts students with disabilities at public expense. That responsibility is further defined in the

Massachusetts Special Education Regulations (603 CMR 28.00) and the Regulations on Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs (603 C.M.R. 18.00) adopted by the Board of Education. By regulation, the Department may not approve a private school to serve publicly funded students with disabilities under G.L. c. 71B, §10, unless the private school has received approval by the local school committee pursuant to G.L. c.76, § 1. If a private school approved by the School Committee is going to close, it must provide notice in a timely manner to the School Committee.

Legal Refs.: M.G.L. 40:4E, Education Collaboratives  
M.G.L. 71:48, Textbooks and School Supplies  
M.G.L. 71:71D, Prepayment of Tuition to Private Schools or Public Sources  
M.G.L. 71B:4, Children with Special Needs: Agreements Between School Committees or with Public or Private Schools  
M.G.L. 74:4 through 74:7A, Vocational Technical Schools  
M.G.L. 76:1, School Attendance: Requirements and Exceptions

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