

PRIVATE SCHOOLS RECOGNIZED BY THE MAINE DEPARTMENT
OF EDUCATION AS PROVIDING EQUIVALENT INSTRUCTION

The Maine Department of Education (DOE) has a legislative mandate to regulate public schools as well as certain private schools that educate students at public expense. **Some** private schools that do not accept public funds choose to seek school approval from the Maine DOE, but Maine law does not require any private school which does not receive public funds to do so. The law refers to private schools which choose not to seek Department approval as private schools “recognized by the Department as providing equivalent instruction.” 20-A M.R.S.A. § 5001-A(3)(A)(1)(b).

The Maine DOE has no knowledge or information about “equivalent instruction schools”, as they do not seek Department approval. Recognition **should not** be interpreted as assurance from Maine DOE that these schools follow the health and safety requirements required of approved schools, teacher certification or background check requirements, or that they provide instruction in all of the content areas of Maine Learning Results. These schools may have a wide variety of internal policies and procedures, and they may have a physical campus or be entirely virtual. The Department has no knowledge, nor any opinion related to the safety, quality, or effectiveness of these private schools. Questions concerning “equivalent instruction schools” are best directed to the administrators of the schools.

Private schools which choose not to seek Department approval may choose to notify the Department of their intention to operate as a private school recognized by the Department as providing equivalent instruction, but there is no legal requirement that they do so. If a private school chooses to notify the Department, they will receive a letter acknowledging that they have notified the Department of their intention to operate as a private school recognized by the Department as providing equivalent instruction. That letter, along with a copy of this explanatory statement, will be provided to any member of the public upon request. In addition, unless the private school has specified in its notice to the Department that it does not wish to be included, the Department will place the school on the list of private schools recognized as providing equivalent instruction on the Department’s website.

Students who attend private schools which choose not to seek Department approval are considered to be in compliance with Maine’s compulsory attendance law so long as the person in charge of the private school files a certificate showing the name, residence and attendance of the student at the school with the school officials of the Maine administrative unit (municipal school unit, R.S.U., S.A.D. or C.S.D.) in which the student resides. 20-A M.R.S.A. § 5001-A(3)(A)(2).

While Maine law contains curriculum, course and diploma requirements for students enrolled in public and certain private schools that receive public funds or seek Department approval, there are no legal restrictions on the use of terms such as “course,” “credit,” or “diploma” by schools which choose not to seek Department approval. Students and parents should consult with the administrators of these private schools as well as with administrators of any other public or private elementary, secondary, or post-secondary school, training program, or prospective employer in which they are interested regarding the acceptance of the work completed at the private school.

This letter will be posted on the Maine DOE website and provided upon request.