



## K-12 Accredited Nonpublic School Questions and Answers

### General Questions

#### What is a nonpublic school?

A nonpublic school is a school that operates independent of public schools, whether regular district schools or charter schools. Although homeschools are nonpublic schools, for purposes of this document, we are referring to a nonpublic school that is primarily privately financed that educates other people's children and is accredited by a Minnesota state-recognized accrediting agency.

#### I am thinking about sending my child to a nonpublic school for K-12. How could I find out about the variety of options?

A good starting point for learning about nonpublic schools in your area is the [National Center for Educational Statistics Search for Nonpublic Schools tool](#). The Minnesota Department of Education (MDE) also has a listing of [Nonpublic Schools](#).

#### I would like to start a nonpublic school. Does MDE provide start-up assistance and advice?

No, MDE does not provide start-up assistance or advice to people wishing to start nonpublic schools. You may want to hire an attorney. Another resource is the [nonpublic school entry in the 2019 Minnesota Statutes Index](#). The United States Department of Education has [website resources](#) for nonpublic schools related to federal Title programs. The [Office of the Minnesota Secretary of State](#) has information about, and forms for, forming a nonprofit corporation. Be aware that local regulation such as building codes should be thoroughly investigated; most municipalities follow International Building Code for any school serving six or more students.

#### Does Minnesota law require nonpublic schools to be accredited?

No, Minnesota law does not require nonpublic schools to be accredited, but most are. The Minnesota Nonpublic Education Council, on behalf of the Commissioner of Education, reviews and provides state recognition to accrediting agencies. Among the benefits of accreditation is that accredited schools do not have the normal state requirement to administer a nationally normed achievement test every year.

Accrediting agencies that currently hold Minnesota state recognition for accrediting regular K-12 nonpublic schools are:

[Accrediting Association of Seventh Day Adventist Schools, Colleges and Universities](#)

[American Association of Christian Schools \(AACCS\)](#)

[Association of Christian Schools International \(ACSI\)](#)

[Association of Christian Teachers and Schools \(ACTS\)](#)

[Christian Schools International](#)

[Cognia \(formerly AdvancED\)](#)

[Independent Schools Association of the Central States \(ISACS\)](#)

[International Christian Accrediting Association \(ICAA\)](#)

[Minnesota Nonpublic Schools Accrediting Association \(MNSAA\)](#)

[National Lutheran School Accreditation – The Lutheran Church Missouri Synod](#)

[Wisconsin Evangelical Lutheran Synod School Accreditation](#)

## **What is the Minnesota Nonpublic Education Council and what does it do?**

The [Minnesota Nonpublic Education Council](#) is a 15-member group of stakeholders appointed under [Minnesota Statutes, section 123B.445](#), by the Commissioner of Education to advise the commissioner on issues affecting nonpublic education and nonpublic schools. It reviews and recognizes accrediting agencies for purposes of reduced reporting requirements under Minnesota's Compulsory Instruction Statutes, sections [120A.22](#), [120A.24](#), and [120A.26](#). It also hears complaints from nonpublic schools on school district decisions related to Aids to Nonpublic Students. The council meets four times each academic year. Meetings are open to the public. Vacancies on the Nonpublic Education Council are advertised through the [Minnesota Secretary of State's open appointments process](#).

## **What subject areas must all K-12 schools in Minnesota cover, whether or not they are nonpublic?**

Minnesota's Compulsory Instruction law, [Minnesota Statutes, section 120A.22, subdivision 9](#), requires that instruction be provided in at least the following subject areas:

1. basic communication skills including reading and writing, literature, and fine arts;
2. mathematics and science;
3. social studies including history, geography, economics, government, and citizenship; and
4. health and physical education.

Instruction, textbooks and materials must be in the English language. Another language may be used pursuant to Minnesota Statutes, sections [124D.59](#) to [124D.61](#).

## **Do Minnesota nonpublic schools need to align to the state standards set for Minnesota public schools?**

No, Minnesota state standards are established for Minnesota public schools. Minnesota nonpublic schools may set their own standards as long as those standards minimally meet the requirements of Minnesota Statutes, sections [120A.22](#), [120A.24](#), and [120A.26](#).

## **Does the “No Shots, No School” rule apply to nonpublic school students?**

Yes, Minnesota students, public or nonpublic must be immunized or submit notarized conscientious objector statements to the school. More information about immunization requirements is available from the [Minnesota Department of Health](#).

## **Can MDE intervene when I run into trouble at a nonpublic school?**

In most situations, MDE has no jurisdiction or ability to intervene in disputes. Your school handbook may provide important information on protocol for resolving disputes when they arise. Nonpublic schools have a variety of governance systems above the immediate chain of command that may be of help if the lowest level interventions were not successful.

Parents who enroll their children in nonpublic schools sign annual contracts. If your contract is violated, you may consult an attorney. [Minnesota Statutes, section 120A.22, subdivision 7](#), not MDE, protects nonpublic school students if nonpublic schools refuse to transfer records to a new school, such as they might attempt as a means of recouping unpaid tuition.

If a dispute involves abuse of a student or other crimes, contact the police.

## **Does MDE have resources to help stop bullying?**

Yes, MDE has resources available through its [School Safety Technical Assistance Center](#) to help schools reduce and intervene in bullying situations and ensure a safe, welcoming environment for all students.

## **Does MDE certify or validate nonpublic school transcripts and diplomas?**

No, MDE does not certify or validate nonpublic school transcripts or diplomas.

## **When a nonpublic school closes, what happens to student records?**

State law does not require any set course of action for safekeeping of student records when a nonpublic K-12 school closes. However, if a records request for another school has not been received, best practice is for the closing school to bring the records to the student’s resident public school district.

## **Do teachers and administrators at Minnesota nonpublic schools need to be licensed?**

[Minnesota Statutes, section 120A.22, subdivision 10](#) outlines requirements for instructors:

A person who is providing instruction to a child must meet at least one of the following requirements:

1. hold a valid Minnesota teaching license in the field and for the grade level taught;
2. be directly supervised by a person holding a valid Minnesota teaching license;
3. successfully complete a teacher competency examination;
4. provide instruction in a school that is accredited by an accrediting agency, recognized according to section 123B.445, or recognized by the commissioner;
5. hold a baccalaureate degree; or
6. be the parent of a child who is assessed according to the procedures in subdivision 11.

## **Does Minnesota have vouchers or other ways to access government funding for nonpublic school tuition?**

Minnesota does not have vouchers for nonpublic school tuition. The Minnesota state constitution specifically forbids most public aid for nonpublic education when nonpublic schools have a religious orientation: “In no case shall any public money or property be appropriated or used for the support of schools wherein the distinctive doctrines, creeds or tenets of any particular Christian or other religious sect are promulgated or taught.” [Minnesota Constitution, article XIII, Section 2](#).

## **Is any help with expenses available through the state tax system?**

See the Minnesota Department of Revenue’s [Individual Income Tax Fact Sheet 8](#) on the [K-12 Education Subtraction and Credit](#) to learn about Minnesota’s K-12 education tax credit and subtraction to determine whether a credit can be claimed or taxable income can be reduced.

A nonprofit nonpublic school may complete the Minnesota Department of Revenue’s [Application for Nonprofit Exempt Status – Sales Tax](#) per [Minnesota Statutes, section 297A.70](#).

## **Do Minnesota public schools have to transfer all the credits from a nonpublic school transcript?**

No, Minnesota public schools do not have to transfer all credits from nonpublic schools. Public schools have the authority and responsibility to evaluate best placements for the student and to determine which credits can be transferred.

## **Do my children have the same rights as a public school student if our nonpublic school moves to expel them?**

No, the due process rights related to expulsion specified in state law are for Minnesota public school students. Check your school's handbook and with its governing board on what, if any, protections your student has if this happens.

## **Can nonpublic school students occasionally take public school classes?**

Statute allows districts to provide classes to nonpublic and home school students on a part-time basis and generate shared time aid. Except in regard to special education, the program is optional for districts. District policy can limit classes that are available to nonpublic and home school students, number of classes that nonpublic and home school students can take and which schools are available. However, the district in which the nonpublic or home school is located must provide child find and special education services required by an Individualized Education Program (IEP) to students enrolled in those nonpublic and home schools. Shared-time aid can be found in [Minnesota Statutes, section 126C.01, subdivisions 6-8](#) and [Minnesota Statutes, section 126C.19](#).

## **Can nonpublic school students take public online learning K-12 classes?**

Districts can choose to offer online classes to nonpublic and home school students but only public school students are eligible to generate state aid. The public school district can charge the family tuition for online classes. Please visit [MDE's Online Learning webpage](#) for more information.

## **Questions Pertaining to Nonpublic School Administrators**

### **What reports do nonpublic schools make to local school superintendents?**

By October 1, each nonpublic school must report the name, birthdate and address of each child ages 7-17 receiving instruction. If the school is not accredited by a state-recognized accrediting agency, it must also come to an agreement on an annual nationally normed achievement test and ensure that instructors meet minimal requirements in [Minnesota Statutes, section 120A.24](#).

### **Do nonpublic schools make any reports directly to MDE?**

MDE annually requests enrollment information from nonpublic schools via direct mailing to the school. A copy of the current year's Nonpublic Fall Report and instructions can be found on the [School Finance Nonpublic website](#). It is due every year on a Friday in mid-November. This information is used broadly such as for federal reporting, the Loan Forgiveness Program, and allocating Title money to districts. Please contact Michelle Carey at 651-582-8287 or [michelle.carey@state.mn.us](mailto:michelle.carey@state.mn.us) for more information.

## **Do all nonpublic school K-12 students qualify for transportation to and from the nonpublic school from their resident public school district?**

Yes, school districts that receive state aid for transportation must provide equal transportation within the district for all school children to any school when transportation is necessary because of distance or traffic conditions. Nonpublic school students must act in accordance with student bus conduct and discipline policies. Transportation is also available for nonpublic school students when they receive public support services at public schools or neutral sites. [Minn. Stat. § 123B.86](#)

## **What is the Nonpublic Pupil Aids program?**

The Nonpublic Pupil Aids program allows nonpublic students to receive publically funded textbooks on a loan basis and health, guidance and counseling services. Parents must opt in to this program annually by returning a form in early September to their nonpublic school. Assistance in each category of aid has dollar limits. Family income is not a factor in eligibility. [Minn. Stat. §§ 123B.42-44](#)

### ***Textbooks***

Textbooks include only those secular, neutral, and non-ideological textbooks available to public school students.

### ***Health and guidance or counseling services***

Local school districts must provide the same specific health services and counseling services “as are provided to public school pupils by the district where the nonpublic school is located” to students attending nonpublic schools upon formal request. These services may be provided at a public school, a neutral site or the nonpublic school.

## **What if my nonpublic school feels it is treated unfairly by the school district in administration of the Nonpublic Pupil Aids program?**

If you believe that the Nonpublic Pupil Aids program is not playing out fairly for your school, you may [file a complaint](#) that will be reviewed by the Nonpublic Education Council. The council will make a recommendation to the commissioner of education for resolution.

## **How can my nonpublic school be included in the MDE Reported Nonpublic Schools list?**

Listings, and updates to listings, in the [MDE Reported Nonpublic Schools](#) come to MDE through site verification coordinators in public school districts. To be listed or report a revision, contact your school superintendent’s office and ask for the site verification coordinator.

## **May nonpublic schools administer the Minnesota Comprehensive Assessments that public school students take?**

According to [Minnesota Statutes, section 123B.42](#), Minnesota's nonpublic schools may administer the Minnesota Comprehensive Assessments. Schools should start with the Nonpublic School Participation in Minnesota Assessments document on the District Resources page, and contact [mde.testing@state.mn.us](mailto:mde.testing@state.mn.us) with any questions.

## **May nonpublic schools participate in school nutrition programs?**

Yes, nonpublic schools may participate in [school meals and milk programs](#). Both state and federal aid are provided on a per-meal basis. Minn. Stat. §§ [124D.111](#), [124D.1158](#)

## **Does the State of Minnesota provide resources to help enhance safety in nonpublic schools?**

Yes, the Minnesota Department of Public Safety has the [Minnesota School Safety Center \(MnSSC\)](#) as a resource provider for school safety best practices in all-hazard emergency management planning, response, recovery, and mitigation strategies. The MnSSC is a no-cost resource to schools and works in cooperation with state, regional, and local partners on development of crisis response plans, safe school facility assessments, safety drill best practices (fire, tornado, and lockdown drills), and linking nonpublic schools with local public safety partners and community resources.

## **What safety drills are required in Minnesota K-12 schools, public or nonpublic?**

All Minnesota K-12 schools are required to provide five fire drills, five lockdown drills, and one tornado drill each school year. [Minn. Stat. §§ 299F.30,121A.037](#)

## **Does MDE have resources to assist schools in helping gifted and talented students?**

MDE has an array of resources for educators, administrators, and families in [gifted education](#). Professional development on demand is now available. Free courses are available in the [Canvas Learning Management System \(LMS\)](#), including gifted education training modules for educators and administrators. Workshops held at MDE and the annual [Hormel Foundation Gifted and Talented Education Symposium](#) provide face-to-face learning opportunities that are practical, timely opportunities that bridge theory into practice to help educators, administrators, psychologists and others effectively identify and support gifted and highly able learners.

## **Are federal Title program funds available to serve nonpublic students in Minnesota?**

Yes, federal funds for Title I, II, III, and IV available to serve nonpublic students in Minnesota. The public school district has the responsibility to contact each nonpublic school about the nonpublic school's equitable share of the district's allocation for each Title program and the services available with those funds. As a result of consultation with the nonpublic school, the district provides the services, retaining administrative control and responsibility for what is provided.

Broadly, the funds can be used for:

Title I, Part A: provide instructional services to Title I-eligible participating nonpublic school students;

Title II, Part A: provide professional development in alignment with the nonpublic school's improvement plan

Title III: improve the English proficiency of English learners ; or

Title IV, Part A: provide necessary counseling services to the most-at-risk eligible students, provide social-emotional learning opportunities, or supporting the use of instructional technology.

## **Can federal Title program funds help nonpublic school faculty and staff obtain professional development?**

Yes. Depending on the purpose of each Title program, some or all of the funds can be used for professional development which addresses an identified academic need and supplements what the nonpublic school is able to provide with its own funds.

## **How do nonpublic schools and their local public school districts work together in implementing federal Title programs and services?**

The public school district has the responsibility to contact each nonpublic school with children who reside within the school district to determine eligibility and need for each program's services and whether the nonpublic school wishes to participate.

If the nonpublic school agrees to participate, the district and the nonpublic school work together through timely and meaningful consultation to develop a written agreement about the services the district will provide based on the available funds and the needs of eligible participants.

## **What if my nonpublic school has a specific complaint about how the public school district is administering Title programs?**

Schools that have concerns about the Title programs or the consultation process may contact the ombudsperson for Title programs, Alicia Waeffler, [alicia.waeffler@state.mn.us](mailto:alicia.waeffler@state.mn.us) or 651-582-8227.

## Contacts

### **On reporting requirements and all district provided services**

The superintendent's office of your resident school district. To find your district, use the [school district finder](#).

### **On general state policy related to nonpublic schools**

Cindy Jackson, MDE Ombudsperson, [cindy.s.jackson@state.mn.us](mailto:cindy.s.jackson@state.mn.us), 651-582-8572.

### **On formal complaints from nonpublic schools related to district response on Aids to Nonpublic Students**

Greg Sogaard, Education Finance Specialist, [greg.sogaard@state.mn.us](mailto:greg.sogaard@state.mn.us), 651-582-8858.

### **On formal complaints from nonpublic schools related to school district actions on federal Title programs**

Alicia Waffler, ombudsperson for Title programs, [alicia.waeffler@state.mn.us](mailto:alicia.waeffler@state.mn.us), 651-582-8227.