



# Start·a·School

AN EDUCATION FREEDOM FOUNDATION INITIATIVE

## Tennessee

### Private Schools

In Tennessee, non-public schools include private, church-related, and independent home schools. Unlike public schools, the state's approved non-public schools are not operated by a local education agency (LEA) or the Tennessee Department of Education (department). Instead, they are privately operated entities, primarily funded through school tuition paid by families and private donations from individuals and organizations.

Private schools are accredited by, or are members of, an organization or association approved by the state board of education or those that are directly approved by the department.

Church-related schools are operated by denominational, parochial, or other bona fide church organizations required to meet the standards of accreditation or membership of specific agencies listed in Tenn. Code Ann. § 49-50-801. Home school umbrella programs are operated by some church-related schools.

Independent home schools are conducted by a parent or guardian who oversees the education of their own children in settings other than a school. To learn more about home school options, visit the department's [Home School webpage](#).

[State Board of Education Rules Chapter 0520-07-02](#) divides private and church-related schools into five categories. To satisfy the requirements of the state's compulsory attendance law, private and church-related schools must be approved for operation under at least one of the five categories of non-public schools. Families wishing to enroll their children into a private or church-related school can verify a school's approval status in Tennessee by checking the approved list of non-public schools on this webpage.

Read more about each of the five category designations here: [Category Descriptions](#)

### **Non-Public Schools Directory**

Non-Public Schools Directory Archives: Access past lists of approved non-public schools by downloading a PDF or Excel spreadsheet from the dropdown menu on the website.

See Non-Public School Forms for guidance on how to update a school's directory information.

## Steps to Start a Private School

### Non-Public School Approval

Non-public school candidates may receive approval for operation through direct application to the Tennessee Department of Education or by applying through a Tennessee State Board of Education authorized accrediting or membership agency. Approved non-public schools wishing to apply for a category change would follow the same procedures.

Regardless of which method a school candidate selects for approval, all categories must do the following:

1. The first step in creating a private school is to register as a corporation. This is usually a for-profit LLC. Register with your state's Division of Corporations.
2. Submit an [Initial Request for Fire Marshal Inspection](#) to the department prior to school approval. Once a school candidate has secured a school site location, the request form must be emailed to [Private.Schools@tn.gov](mailto:Private.Schools@tn.gov) to initiate the appropriate type of inspection.
3. All non-public schools must conduct fingerprint or social security number based criminal history checks for teachers and staff. The checks must also include a check of the [Tennessee Sex Offender Registry](#), [National Sex Offender Registry](#), and the [Tennessee Department of Health Abuse Registry](#). To access information on how to obtain fingerprint based checks, visit [TBI's Background Checks webpage](#). A public search of [TNCompass](#) will allow school administrators to determine if an applicant has had a Tennessee educator license suspended or revoked for misconduct.
4. Non-public schools are responsible for ensuring compliance with all health and safety rules, laws, and regulations. Food safety inspections are required in schools that prepare and serve food. [School Plant Environmental Surveys](#) are optional for non-public schools. Contact the local health department for information on required inspections.
5. Things to consider
  - 5.1. Accreditation: is required to satisfy attendance requirements. OptimaEd has been accredited by Cognia.
  - 5.2. Teacher Certification: Is required for private school teachers. See statutes for detail.
  - 5.3. Registration: Is not required.
  - 5.4. Licensing: Is required.
  - 5.5. Approval: Is required Category I schools and optional for Category IV schools. See statutes.
  - 5.6. Length of School Year and Days: Schools in Categories I, II, IV and V must be conducted for the same length of term as public schools (6 ½ hour school days in minimum and 180 instructional days. See statutes.
  - 5.7. Curriculum: No requirements. See statutes below.
  - 5.8. State Testing: See statutes below.
  - 5.9. Health and Safety Requirements: Immunization is required. See other requirements in the statutes below.

## 5.10. Nursing and Health: No requirements.

A school candidate must obtain a certificate of accreditation or letter of approval before being added to the directory as an approved non-public school option.

[Application: Categories I, I-Special Purpose, and V](#)

[Accreditation & Membership: Categories II, III, and IV](#)

[Non-Public School Monitoring and Annual Reporting](#)

Non-public schools approved by the state are monitored by the Tennessee Department of Education through an annual reporting process. This reporting includes schools approved in Categories I, I-SP, V, and any State Board of Education approved Category IV church-related schools.

Non-public schools approved through an accrediting or membership agency are monitored by the approving agency. Accredited or church-related schools are subject to re-accreditation processes based on the agency's schedule for re-accreditation and any additional monitoring requirements that may be implemented by an individual agency.

If the department receives a report of non-compliance, it will:

- Address the issue(s) of non-compliance directly if the report involves a state-approved non-public school.
- Notify the school's accrediting or membership agency if the report involves an accredited or church-related school.

Non-Public Schools Monitoring Handbook (coming soon)

Appeal Form for Revocation of Non-Public School Approval (coming soon)

[Tennessee State Board Rule](#)

[Tennessee Code Annotated](#)

[Tennessee State Board Policy](#)

## Private School Statutes & Rules

*The Education Freedom Foundation has relied on the [U.S. Department of Education's State Regulation of Private and Home Schools Map](#) for relevant statutes. Over time, the state pages on this map have been updated since their initial creation. In some cases, states have changed their laws without these updates being reflected on the map. Given the various methods each state uses to publicize changes to its laws, the most recent information for the Start-A-School project was often obtained directly from the U.S. Department of Education website. Users are encouraged to verify any information before making decisions based on it.*

## Accreditation, Registration, Licensing, and Approval

- In order for students to satisfy the compulsory attendance laws, they must attend a public school or a non-public school, which includes home schools. [Tennessee Code Annotated \(TCA\) 49-6-3001](#). The [State Board of Education Rule 0520-07-02-.01](#) defines six categories of non-public schools:
  - Category I schools are approved by the State Department of Education. Special purpose schools encompassing some Pre-K programs and short term medical or transient care facilities may be approved as Category I. [State Board of Education Rule 0520-07-02-.02](#).
  - Category II schools are approved by a private school accrediting agency, which has been approved by the Tennessee State Board of Education. Schools holding full accreditation status with an approved agency are also approved by the State Department of Education.
  - Category III schools are accredited by one of the regional accrediting bodies listed in the [State Board of Education Rule 0520-07-02-.04](#).
  - Category IV schools are church related schools as recognized by associations mentioned in [TCA 49-50-801](#). [TCA 49-50-801](#).
  - Category V schools are Acknowledged for Operation. [State Board of Education Rule 0520-07-02-.06](#).
- Accreditation: required for Category II and III schools
  - Accreditation is not mandated by the department of education, but schools in Categories II and III must satisfy the accreditation standards of their affiliate association. [State Board of Education Rule 0520-07-02-.03](#) and [-.04](#).
  - Church-related schools are required to meet the standards of accreditation or membership of the Tennessee Association of Christian Schools (TACS), the Association of Christian Schools International (ACSI), the Tennessee Association of Independent Schools (TAIS), the Southern Association of Colleges and Schools (SACS), the Tennessee Association of Non-Public Academic Schools, the Tennessee Association of Non-Public Academic Schools (TANAS), Tennessee Association of Church Related Schools or a school affiliated with Accelerated Christian Education, Inc. [TCA 49-50-801](#).
  - Therefore, church-related schools may fall into Category II if fully accredited or Category IV if they are only affiliate members and do not need accreditation.
- Registration: no requirements
- Licensing: no requirements
- Approval: required for Category I schools and optional for Category IV schools
  - Category I schools must be approved by the State Department of Education. Category I schools must follow all state education laws and rules. [State Board of Education Rule 0520-07-02-.02](#).
  - Category IV schools are church related schools as recognized by associations mentioned in [TCA 49-50-801](#). Church related schools may voluntarily seek approval by the State Board of Education. [TCA 49-50-801](#).

## Class Size

Meet class size standards of grades K-3 is 25, grades 4 to 6 is 30 and 7 to 12 is 35 and are established by [T.C.A. § 49-1-104](#).

## Curriculum

- Private high schools which offer a four-year course in literary branches must require every student to have one year of instruction in American history and government. [TCA 49-6-1202](#).
- Category I, II and IV, schools must adhere to the state's minimum graduation requirements for public schools as listed in [State Board of Education Rule 0520-01-03-06](#), [State Board of Education Rule 0520-07-02-.02](#) and [.03](#).
- A Category II, III and IV school's curriculum must include, but not be limited to, the areas of English language arts, mathematics, social studies, and science. Additionally, schools are encouraged to offer art, music, health and physical education, and world language. [State Board of Education Rule 0520-07-02-.03](#)

## Health and Safety Requirements

- The Commissioner of Health is authorized, subject to the approval of the public health council, to designate diseases against which children must be immunized prior to attendance at any school of Tennessee. Parents may file a written statement with the school authorities that if such immunizations conflict with their religious tenets and practices. [TCA 49-6-5001](#).
- Fire drills must be held monthly in private schools. A record of all fire drills; including the time and date, must be kept in the respective school and made available upon request to the State Fire Marshal. [TCA 68-102-137](#).
- All doors serving as exits must be kept unlocked during the periods that a building is occupied. [TCA 68-102-137](#).
- It is a criminal offense in Tennessee for a student to carry a firearm, not for instruction or school-sanctioned ceremonial purposes, in a private school building, bus, campus or athletic field. Private school administrators must display in prominent locations a sign, at least six (6") inches high and fourteen (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. [TCA 39-17-1309](#).
- The chief administrative officer of any private, denominational or parochial school, who has probable cause to believe that any person has committed a drug-related offense on school grounds has a duty to report such probable cause to the local law enforcement official. [TCA 53-11-405\(b\)](#).
- Sentencing for an offense may be enhanced if the offense was performed on the grounds or facilities of a private school building. [TCA 40-35-114](#).
- School personnel having knowledge of any child who is suffering from any physical or mental condition which reasonably appears to have been caused by brutality, abuse or neglect, must report the harm immediately. [TCA 37-1-403](#).

- School personnel who know or have reasonable cause to suspect that a child has been sexually abused must report such knowledge or suspicion. [TCA 37-1-605](#).
- Community residential facilities that accommodate state or federal adult prisoners on release programs are prohibited within 1,000 feet of a private school in counties with populations of 750,000 or more, or counties having a metropolitan form of government. [TCA 41-22-128](#).
- Annual inspections by the Fire Marshal's Office and the Health Department are required for all categories of non-public schools. [State Board of Education Rule 0520-07-02](#).

### **Length of School Year and Days**

- Schools in Categories I, II, IV and V must be conducted for the same length of term as public schools (6 ½ hour school days in minimum per the [State Board of Education Rule 0520-01-03-.02](#) and 180 instructional days per [TCA 49-6-3004](#)). [TCA 49-50-801\(c\)](#) and [State Board of Education Rule 0520-07-02-.02](#), [.03](#) and [.06](#).
- The State Board of Education Rules do not address the length of school year or days in Category III schools.

### **Nursing and Health**

- No state policy currently exists.

### **Professional Development**

- Schools in Categories II must specify qualifications for professional personnel for the agency; and employ at least one (1) full-time agency head or director. [State Board of Education Rule 0520-07-02-.03](#).

### **Public Aid for Private Education**

- Constitutional Provisions: No related provisions.
- Programs for financial assistance for attendance at private schools: The Individualized Education Act Program creates individualized education accounts (IEAs) for eligible students with disabilities to use for educational purposes. The program provides options for parents of certain students with disabilities to choose the education opportunities, including private school tuition, that best meet the individual needs of their child by giving them direct access to state and local public education funds associated with their child. Title 49, Chapter 10, Part 14 Individualized Education Act [Effective on January 1, 2016, first IEA's awarded January 1, 2017].

## Recordkeeping and Reports

- Principals and teachers of private, denominational or parochial schools must report to the local superintendent the names, ages and residence of all pupils in attendance at their schools within 30 days after the beginning of the school year. [TCA 49-6-3007\(c\)](#). Pursuant to the State Board rule, attendance is reported to the Local Education Agency (LEA) in which the student resides. For a student attending a virtual school based in Georgia, for example, attendance would be reported to the Tennessee LEA where the student resides. [State Board of Education Rule 0520-07-02-.02, .03, .05, and .06](#).
- All private and parochial schools shall keep daily reports of attendance, verified by the teacher making such record and open for inspection by the local superintendent. [TCA 49-6-3007\(d\)](#).
- Private schools are under a duty to report promptly to the local superintendent the names of students who have withdrawn or who have been absent five days without adequate excuse. [TCA 49-6-3007\(e\)](#).
- Category I, II and III schools must maintain cumulative records on each student. [State Board of Education Rule 0520-07-02-and .03](#).
- All non-public schools in category 1 shall submit annually: 200 Day Accountability Report, Non-Public Reporting Form; S-File (for student numbers); T-File (for teacher information) as part of the school's direct application for approval. State Board of Education Rule 0520-7-2 and [Tennessee Department of Education Non-Public School Website](#).
- Category V schools must submit by November 1st of each year the name, mailing address and telephone number of the school; the name and academic credentials of the principal or headmaster of the school; the number of students in each grade level as of October 1 of current school year; the name and academic credentials of each teacher and the subjects taught by that teacher; and certification that the school year provides an operating schedule that includes the minimum number of instructional days and hours as required of public schools. [State Board of Education Rule 0520-07-02-.06](#).

## Reimbursement for Performing State and Local Functions

- No state policy currently exists.

## Special Education

- "Every school district must test and examine, or cause to be tested and examined, each Tennessee resident attending a private school within its boundaries to determine whether such child is disabled." [TCA 49-10-108](#).
- The Department of Education is empowered to provide special schools and special classes in private schools, and transportation to and from school for physically handicapped, visually handicapped and crippled children. [TCA 68-12-109](#).

## State-Level Non-Public School Group

- No state policy currently exists.

## Tax Exemption

- Admission to events or activities sponsored by private schools, K-12, is exempt from amusement tax. [TCA 67-6-330\(a\)\(1\)](#).

## Teacher Certification

- Teachers in Category I schools must be licensed and at least one must be licensed in special education. [State Board of Education Rule 0520-07-02-.02](#).
- Teachers serving in Categories II and III must meet the licensure and certification standards set forth by their agency/association. [State Board of Education Rule 0520-07-02-.03](#) and [0520-07-02-.04](#).
- Category V teachers must hold a baccalaureate degree but are not required to have a teaching certificate. [State Board of Education Rule 0520-07-02-.06](#).

## Technology

- No state policy currently exists.

## Testing

- Category I schools must at least once every school year, each school shall give a nationally standardized achievement test covering the areas of English language arts and mathematics to each student in third (3rd) through eleventh (11th) grades; the results must be communicated to teachers and parents and kept as part of the student's permanent record. Examples of nationally standardized achievement tests include ACT/SAT and benchmark assessments. Schools may identify alternate assessments for students with the most significant cognitive disabilities. [State Board of Education Rule 0520-07-02-.02](#).
- Category II schools must at least once every school year, each school shall give a nationally standardized achievement test covering the areas of English language arts and math to each pupil in third (3rd) through eleventh (11th) grades; the results must be communicated to teachers and parents and kept on file at the school for one (1) calendar year. Examples of nationally standardized achievement tests include ACT/SAT and benchmark assessments. Schools may identify alternate assessments for students with the most significant cognitive disabilities. [State Board of Education Rule 0520-07-02-.03](#).
- Category III schools at least once every school year, each school shall give a nationally standardized achievement test covering the areas of English language arts and math to each pupil in third (3rd) through eleventh (11th) grades; the results must be communicated to teachers and parents and kept on file at the school for one (1) calendar year. Examples of nationally standardized achievement tests include ACT/SAT and benchmark assessments. Schools may identify alternate assessments for students with the most significant cognitive disabilities. [State Board of Education Rule 0520-07-02-.04](#).

- Category V schools must At least once every school year, each school shall administer a nationally standardized achievement test covering, at a minimum, English language arts and math to each student in third (3rd) through eleventh (11th) grades. Results of the test shall be communicated to teachers and parents and kept on file at the school for at least one (1) calendar year. Examples of nationally standardized achievement tests include ACT/SAT and benchmark assessments. Schools may identify alternate assessments for students with the most significant cognitive disabilities. [State Board of Education Rule 0520-07-02-.06](#).

## Textbooks

- Category I schools must use the same state-approved textbooks as public schools. [State Board of Education Rule 0520-07-02-.02](#) and [Tennessee Department of Education Non-Public School Website](#).
- Category I, II and III schools are required to use textbooks that are adequate to meet instructional needs. [State Board of Education Rule 0520-07-02, -03](#) and [-04](#).

## Transportation

- Any school buses purchased by a private contractor to transport school students must meet national minimum bus standards and all applicable federal motor vehicle safety standards. A van used for such transport is only required to comply with rules and regulations of the state board of education. [TCA 49-6-2115](#).
- Operation and standards for student transportation can be found in [State Board of Education Rule 0520-01-05](#).

## Resources

### Contact Information – State and Federal Departments of Education

- Tennessee Department of Education  
710 James Robertson Parkway  
Nashville, TN 37243-0375  
Phone: (615) 741-2731  
Fax: (615) 532-4791  
Email: [Education.Comments@state.tn.us](mailto:Education.Comments@state.tn.us)  
Website: <https://www.tn.gov/education/>
- U.S. Department of Education, [Tennessee](#)

### Information and Legislation

- [Tennessee Department of Education: Non-Public Schools](#)
- [Tennessee Code Annotated](#)
- [Rules of the Tennessee Department of Education State Board of Education](#)

- [Non-Public Schools Forms](#)
- [Education Savings Account Program and Individualized Education Account Program](#)
- [Meningococcal Disease and Influenza](#)
- [Transporting Non-Public School Students](#)
- [Helpful Links](#)

## School Choice Programs

### Tennessee Education Savings Account (ESA) Program

The Tennessee ESA program allows eligible students who are zoned to attend Memphis-Shelby County Schools, Metro Nashville Public Schools, Hamilton County Schools, or a school that was in the Achievement School District (ASD) on May 24, 2019, to use state and local money toward education expenses, including tuition and/or fees at approved non-public schools.

Note that students must take the annual state test in person.

#### School Application Process

- [2025-26 ESA School Application](#)
- [ESA Background and Fingerprinting for Schools](#)
- [ESA CPA Statement](#)
- [ESA Surety Bond](#)
- [ESA Withdrawal or Transfer Procedures for Schools](#)
- [School Checklist for ESA Withdrawals and Transfers](#)

#### Service Provider Application Process

The Tennessee Education Savings Account (ESA) Program is currently accepting Requests for Applications (RFAs) from organizations interested in becoming service providers for the Tennessee ESA Program.

- [Application link and information](#)
- [ESA Background and Fingerprinting for Service Providers](#)
- [ESA School Handbook](#)

## Application Support

For application assistance, please contact the ESA Team in one of the following ways:

- Leave a voicemail at (615) 741-9360
- Send an email to [ESA.Applications@tn.gov](mailto:ESA.Applications@tn.gov)

## Statutes and Rules

Tenn. Code Ann. [49-6-2601 et al.](#)

State Board of Education Rule [0520-01-16](#).

Other requirements:

- ESA students must take State Tests in person.
- Participating schools must ensure that participating students in grades 3 through 11 are administered the TCAP tests in math and English language arts each year the student is enrolled in the ESA Program. Each school must designate a testing coordinator, regardless of grade level in which ESA students are enrolled. The school's testing coordinator will be trained by department staff in order to administer the assessments. [T.C.A 49-6-2606](#).

## Individualized Education Account (IEA) Program

The Tennessee Individualized Education Account (IEA) Program was established and guided by state law, Tenn. Code Ann. 49-10-14 et al. and State Board of Education Rule 0520-01-11.

The Individualized Education Account (IEA) Program is a school choice program for eligible students with qualifying disabilities. The IEA Program supports Tennessee families by providing scholarships for students to enroll in an IEA participating non-public school or home schooling. The IEA law is written with specific requirements, one of which is that the student must have been enrolled in a Tennessee public school with a qualifying Individualized Education Program (IEP) for the entire school year before the one in which the student enrolls in the program and receives the IEA. Once a student is enrolled in the IEA Program, the student can no longer be enrolled in public school. These scholarship funds can also be used for certain types of approved educational expenses that best meet the student's unique learning needs.

For more detailed information about the IEA Program, please review our website. We encourage everyone to read both the IEA Account Holder Handbook and the IEA Participating Non-Public School Handbook.

Students cannot participate in both the Education Savings Account (ESA) Program and the IEA Program. For more information about the ESA Program, please visit the ESA [website](#).

## **Education Freedom Scholarship Act**

Education Freedom Scholarships will allow residents of Tennessee who have a child entitled to attend a public school in grades K-12 to use state funds toward education expenses, including tuition and/or fees at registered Category I, II, or III private schools located in Tennessee.

What are the requirements for a private school to accept EFS funds?

- School is located in Tennessee.
- School is a Category I, II, or III private school.