



Start a School

AN EDUCATION FREEDOM FOUNDATION INITIATIVE

Texas

Private Schools

The Texas Private School Accreditation Commission (TEPSAC) helps ensure quality in private schools by monitoring and approving organizations that accredit the various non-public elementary and secondary educational institutions in the state of Texas.

Since 1986, the Texas Education Agency, through the Commissioner of Education, has recognized the accreditation responsibilities of TEPSAC and its affiliated non-public schools and associations. Subsequent to the establishment of TEPSAC in 1989, direct accreditation of non-public schools by the Agency was phased out and discontinued.

The relationship of TEPSAC with the State Commissioner of Education allows for the following activities related to accredited non-public schools:

- Transferability of student credits earned in accredited non-public schools to Texas public schools
- Recognition of teacher service in accredited non-public schools for salary increment purposes in Texas public schools
- TEPSAC meetings held biannually with Agency liaisons to ensure the ongoing integrity and quality of the process
- The listing of all accredited elementary and secondary non-public schools in the Texas School Directory (<http://askted.tea.state.tx.us>).

Steps to Start a Private School

1. Review the Texas Private School Accreditation Commission [recommendations on starting a private school](#).
2. Decide if the school will eventually join the [Texas Private School Association](#). The school must be a non-profit. There may be a future ESA that would require a school to be accredited.
3. Select a name for your school. Retain this name throughout the duration of the school's operation.
4. Designate a chief administrative officer. Select a title, such as Director, Principal, Chief Operations Officer, Superintendent, etc.
5. Decide if the school will be a non-profit or a for-profit school.

6. Develop your Articles of Incorporation.
7. Register as a corporation with the [Texas Secretary of State](#). This is usually as a for-profit LLC.
8. A Federal Employer Identification Number (FEI/EIN) will be required after registering as a company. Apply with the IRS online at: <https://sa.www4.irs.gov/modiein/individual/index.jsp>
9. If the school will be a non-profit LLC, you must file a [IRS form 1023 online](#).
10. Decide if your school will only be a “Brick-and-Mortar” school, a Virtual school, or a hybrid of both types.
11. Things to know:
 - 11.1. Accreditation: is optional but has benefits. OptimaEd has been accredited by Cognia.
 - 11.2. Teacher Certification: is optional but teachers in accredited private schools must be “highly qualified”.
 - 11.3. Registration: no requirements.
 - 11.4. Licensing: no requirements.
 - 11.5. Approval: no requirements.
 - 11.6. Length of School Year and Days: Accredited private schools must meet or exceed the minimum seat time required of public schools.
 - 11.7. Curriculum: must include in its course a study of good citizenship and are expected to observe Texas Week the week of March 2.
 - 11.8. State testing: is optional.
 - 11.9. Health and Safety Requirements: Immunization is required. Reportable diseases must be reported.
 - 11.10. Nursing and Health: Health screening is required.

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

- Accreditation: optional
 - The accreditation of nonpublic schools through the [Texas Private School Accreditation Commission](#) (TEPSAC) became effective on February 12, 1986. The Texas Education Agency ceased directly accrediting nonpublic schools after May 31, 1989. Through a letter of understanding, the commissioner of education recognizes the accreditation of nonpublic schools accredited by associations that are members of TEPSAC.
 - Teacher service in accredited private schools may be claimed for salary increment purposes in public schools. [Texas Administrative Code, Title 19, Part II, §153.1021\(h\)\(8\)](#) states: “(A) For experience prior to the 1986-1987 school year, accreditation by the Texas Education Agency or the Southern Association of Colleges and Schools is required; (B) For experience in the 1986-1987, 1987-

1988, and 1988-1989 school years, service shall be acceptable if the school was accredited by the Texas Education Agency, or a recognized regional accrediting agency; (C) For experience in the 1989-1990 school year and thereafter, service shall be acceptable if the school was accredited by the TEPSAC; (D) During the 1986-1987, 1987-1988, and 1988-1989 school years, private schools accredited by the Texas Education Agency, a recognized regional accrediting agency, or an association recognized by the commissioner of education will be listed in the Texas School Directory; (E) Beginning with the 1989-1990 school year and thereafter, private schools accredited by the TEPSAC will be listed in the Texas School Directory; and (F) Beginning with the 2004-2005 school year and thereafter, private schools accredited by the TEPSAC will be listed on the Texas Education Agency website.” [Texas Administrative Code, Title 19, Part II, § 153.1021\(h\)\(8\)](#).

- Registration: no requirements
- Licensing: no requirements
- Approval: no requirements

Curriculum

- Students attending a private or parochial school are exempt from compulsory attendance at a public school if the school includes in its course a study of good citizenship. [Texas Education Code Ann. §25.086\(a\)\(1\)](#).
- A transfer student from a Texas nonpublic school must complete all state requirements found in [Texas Administrative Code, Title 19, Part II, §74.11\(d\)\(1\)](#) for graduation. [Texas Administrative Code, Title 19, Part II, §74.11\(f\)](#).
- The district may use a variety of methods to verify the content of courses for which a transfer student from a Texas nonpublic school has earned credit. [Texas Administrative Code, Title 19, Part II, §74.26\(a\)\(2\)](#).
- Parochial and private schools are expected to observe Texas Week the week of March 2. [Texas Civil Statute Article 6144a](#).

Health and Safety Requirements

- Children may not be admitted to any elementary or secondary school unless they (1) have been immunized as required by the Texas Department of State Health Care Services; or (2) present an affidavit or certificate signed by a physician stating the immunization would pose a significant risk to the health and well-being of the student or his family; or (3) present an affidavit declining the immunization for reasons of conscience, including a religious belief. Private schools may choose to accept or reject these affidavits. A person who has not received the required immunizations for reasons of conscience, including a person’s religious beliefs, may be excluded from school in times of emergency or epidemic. [Texas Administrative Code, Title 25 §§97.61 through 97.72](#).
- The principal or other chief administrator of a private school must report the names of children suspected of having a reportable condition, i.e. diseases listed by the Department of State Health Services and the executive commissioner of the Texas

Health and Human Services Commission, to the local health authority, or the Department of Health regional director. [Texas Health and Safety Code §§81.003\(10\): 81.041\(c\) and 81.042\(c\)](#).

- Municipalities with populations greater than 850,000 must provide school crossing guards to assist children going to or leaving a parochial or private elementary or secondary school. [Texas Local Government Code §343.014](#).
- Private schools may obtain all criminal history record information that relates to employees and applicants for employment or volunteers. The school may obtain this information from any law enforcement or criminal justice agency. [Texas Education Code §§22.083\(b\) and 22.0835](#).
- Private schools are entitled to obtain criminal history records through the Texas Department of Public Safety for employees, applicants, or volunteers, including those who drive or will serve as a monitor or aide on a bus in which students are transported. [Texas Government Code §411.097\(b\)](#).
- Private schools may participate in a missing child prevention and identification program in accordance with state provisions. Under the program, schools distribute program information to the parents and request written consent to take the child's fingerprints or photograph. Schools may charge a reasonable fee to cover the costs not to exceed \$3. [Texas Education Code §§33.052 through 33.054](#).
- Private primary schools are required to request records when enrolling a child under 11 years of age to verify the child's name, birth date, and previous school records. If documentation is not provided, the school must notify the appropriate law enforcement agency to determine if the child has been reported missing. Law enforcement agencies must immediately notify each school, including private primary schools, when a report of a missing child is received. [Texas Code of Criminal Procedure §§63.019 through 63.022](#).
- It is a criminal offense to possess or consume alcoholic beverages on a public street, alley, or sidewalk within 1,000 feet of a facility that the person knows is a private school offering k–12 instruction. [Texas Alcoholic Beverage Code §101.75](#).
- Acts of hazing that occur on or off the campus of an educational institution, including a private high school, must be reported to the appropriate official of the institution. [Texas Education Code §§37.151 and 37.152](#).

Length of School Year and Days

- Accredited private schools must meet or exceed the minimum seat time required of public schools. [TEPSAC Policy Book](#).

Nursing and Health

- Private school students must be screened to detect vision and hearing disorders and any other special senses or communication disorders specified by the executive commissioner of the Texas Health and Human Services Commission. The Texas Department of State Health Services may coordinate screening activities of private schools with school districts, state agencies, and volunteer organizations so that efforts are complementary and not fragmented or duplicative, and provide screening

personnel, equipment, and services if the requirements cannot be otherwise met. [Texas Health and Safety Code §36.004](#).

- Screening to detect abnormal spinal curvature is mandatory for private school children in grades six and nine. The Texas Department of State Health Services may coordinate screening activities and provide technical assistance and educational materials to assist private schools. [Texas Health & Safety Code §37.001](#).

Professional Development

- No state policy currently exists.

Public Aid for Private Education

- Constitutional Provisions:
 - The Texas Constitution prohibits the state legislature from granting any part of the permanent or available school fund to any sectarian school. [Texas Constitution Art. VII, sec. 5\(c\)](#).
 - No money from the Texas State Treasury Department or property belonging to the state may be appropriated for the benefit of any sect or religious society. Texas Constitution Art. 1, sec. 7. The Attorney General has ruled that this provision does not prevent a school district from providing band lessons to private school students at a public school. [Op. Atty. Gen. 1972, No. M-1074](#).
- Programs for financial assistance for attendance at private schools: There are no such programs at this time.

Recordkeeping and Reports

- Private school administrators or their designees have an obligation to report suspected criminal conduct occurring on school grounds or at school-sponsored activities to the local police or sheriff. [Texas Education Code §37.015](#).
- Law enforcement agencies must notify the school principal of an arrest or conviction of delinquent conduct of an individual enrolled in a private school. [Texas Code of Criminal Procedure §15.27\(e\)](#).
- A school district must ensure that records or transcripts of a transfer student from a Texas nonpublic school are evaluated and that the student is placed in appropriate classes promptly. [Texas Administrative Code, Title 19, Part II, §74.26 \(a\)\(2\)](#).
- An institution of higher education is not permitted to require an applicant who presents evidence of successful completion of a nontraditional secondary education (which includes a nonaccredited private school) to obtain a general education development certificate, certificate of high school equivalency, or other credentials equivalent to a public high school degree; or to take an assessment not generally required of applicants. [Texas Education Code §51.9241](#).

Reimbursement for Performing State and Local Functions

- No state policy currently exists.

Special Education

- Local school districts may contract with approved private facilities for residential or day special education services. Facilities are considered for approval based on a programmatic evaluation of personnel qualifications, adequacy of physical plant and equipment, and curriculum content. Facilities may be approved in whole or in part. [Texas Education Code §29.008](#).
- When a private school student with disabilities is referred to the local district, the district is not responsible for providing services unless the parent(s) choose to enroll the child in the public school full-time or request proportional share services. All state requirements concerning referral, assessment, and determination of eligibility are applicable to students placed in private schools by their parents once the students are referred. [Texas Administrative Code, Title 19, Part 2, §89.1096](#).

State-Level Nonpublic School Group

- No state-level group currently exists.

Tax Exemption

- Food products served by private schools, student organizations, and parent-teacher organizations are exempt from sales tax when served during the regular school day or during a fund-raiser when the proceeds do not benefit an individual. [Texas Tax Code 151.314\(d\)\(1\)](#).

Teacher Certification

- Teacher certification is not required for private schools.
- All teachers in accredited private schools must be “highly qualified,” but each accrediting agency is allowed to define what that means as part of its approval process. The accrediting agency may choose to use the Texas state teacher certification or may develop its own standards, as long as they are higher than those for the Texas state teacher certification. The accrediting agency also has the option of recognizing out-of-state credentials. [TEPSAC Policy Book](#).

Technology

- No state policy currently exists.

Testing

- A private school may administer a state assessment instrument required for all public schools. The private school must reimburse the Texas Education Agency for the cost of administering the assessment, not to exceed the cost for administering the same assessment to a student enrolled in a public school. [Texas Education Code §39.033](#).

- A private school administering the assessments under the Texas Education Code (TEC), Chapter 39, Subchapter B, shall follow procedures specified in the applicable test administration materials. Each private school shall maintain test security and confidentiality as delineated in the TEC, §39.030. [Texas Administrative Code, Title 19, Part II, §101.31\(a\)](#)
- A private school administering the assessments under the TEC, Chapter 39, Subchapter B, shall reimburse the Texas Education Agency for each assessment administered. The per-student cost may not exceed the cost of administering the same assessment to a student enrolled in a school district. [Texas Administrative Code, Title 19, Part II, §101.31\(b\)](#)
- A private school administering the assessments under the TEC, Chapter 39, Subchapter B, shall provide to the commissioner of education, as required by law and determined appropriate by the commissioner, academic excellence indicator information described in the TEC, §39.053(c) and §39.301(c). For indicator information defined and collected through the Public Education Information Management System (PEIMS), private schools shall follow the PEIMS Data Standards. [Texas Administrative Code, Title 19, Part II, §101.31\(c\)](#)
- A private school administering a state assessment instrument must provide to the commissioner performance results on specified academic excellence indicators adopted by the Texas State Board of Education. Texas Administrative Code, [Title 19, Part II, §101.1\(c\)](#)

Textbooks

- The Texas State Board of Education may enter into an agreement with a private nonprofit school to provide special textbooks and instructional aids for the instruction of blind or visually impaired students, if state funds, other than for administrative costs, are not involved. [Texas Education Code §31.028\(c\)\(2\)](#).

Transportation

- Street railways or motor buses operating in cities of not less than 20,000 inhabitants are required to sell tickets to children attending private schools for one-half of the adult fare when school is in session. [Texas Transportation Code Annotated, Title 5, §131.103](#).

Resources

Contact Information – State and Federal Departments of Education

Texas Education Agency
 1701 North Congress Avenue
 Austin, TX 78701-1494
 Phone: (512) 463-9734
 Fax: (512) 463-9838
 Email: teainfo@tea.state.tx.us

Website: <http://tea.texas.gov/>
[U.S. Department of Education, Texas](#)

Information and Legislation

- [Private Schools Test Administration Information](#)
- [Texas Private School Accreditation Commission](#)
- [The Texas Private Schools Association \(must be accredited to join\)](#)
- [Texas Essential Knowledge and Skills \(TEKS\) Manual](#)
- [Texas Education Agency: Education Laws and Rules](#)
 - [State Board of Education Rules - Texas Administrative Code \(TAC\)](#)
 - [Commissioner of Education Rules - Texas Administrative Code \(TAC\)](#)
 - [State Board for Educator Certification Rules - Texas Administrative Code \(TAC\)](#)
- [Texas Administrative Code](#)
- [Texas Constitution and Statutes](#)
- [School/Parental Choice Myths and Facts \(PDF\)](#)
- [Private Schools Are Ready for Parental Choice \(PDF\)](#)
- [Private Schools Accreditation Process \(PDF\)](#)
- [Texas Tribune Parental Choice Panel Discussion \(February 16, 2023\)](#)
- [NBC Dallas-Fort Worth Article: Report Previews Battle Over Public Money to Private & Home Schools](#)

School Choice Programs

[Parent-Directed Special Education Services \(PDSES\)](#)

Supplemental Special Education Services (SSES) is now Parent-Directed Special Education Services (PDSES).

The Parent-Directed Special Education Services (PDSES) program, previously, the Supplemental Special Education Services (SSES) program is a one-time \$1,500 online grant for parents/guardians of eligible students served by special education and who are enrolled in a Texas public school. Parents/guardians of eligible students can use the online accounts to shop the marketplace to obtain educational materials and resources such as textbooks, curriculum, or technology devices and/or services such as additional speech therapy, tutoring, or other specific services.

Families with current SSES applications will still be awarded accounts based on the order they applied. The same students who were eligible for the SSES program are eligible for the PDES program. If students already received an SSES grant, they will not be eligible for a PDES program grant.

TEA is working to update the name to PDES, and logo on all outreach materials for the start of the 2024-2025 school year. "Any reference to Supplemental Special Education Services Program, supplemental special education services, supplemental special education services instructional materials, or SSES in state law and TEA materials is to be considered synonymous with the PDES program." §102.1601(a).

Service Providers

The PDES program is looking for service providers to provide tutoring, therapy, or other services that provide a direct educational benefit to PDES eligible students. These include:

- Paraprofessionals and special education assistants
- Licensed/certified service providers (therapists)
- Academic tutors
- Providers of specialized services

Service providers who wish to apply to become approved should visit [Criteria and Information on Becoming a Service Provider or Vendor](#) where they can read about the criteria for approval and begin the process.

Parents who need help finding or adding a service provider for their student should contact the PDES team at PDSESHelp@region10.org or call 1-855-773-3839.

View the [current list of PDES approved service providers](#).

List of Current Service Providers and Vendors

- [Approved PDES Service Provider List and Map](#)
- [Approved PDES Direct Pay Vendors](#)
- [Approved PDES Integrated Vendors](#)

Information on Becoming an PDES Service Provider

- Paraprofessionals and Special Education Assistants: Anyone providing paraprofessional/special education assistant services must have either a current, valid Texas Educator Certificate (TEC) or documents/credentials (diploma, resume, etc.) demonstrating sufficient experience and training.
- Licensed/Certified Service Providers (Therapists, etc.): Anyone providing a type of therapy/service that is licensed in Texas must have a valid and active Texas license.

Anyone providing a type of therapy/service that is NOT licensed in Texas must have credentials, certifications, education, and/or experience demonstrating the ability to provide the therapy or service competently and safely.

- Academic Tutor: Self-Employed/Individual Providers (a single person working alone) providing academic tutoring must have a current, valid Texas Educator Certificate (TEC).
- Specialized Services

To provide a service that does not fit under any of the categories, please contact PDSEShelp@region10.org.

[Service Provider FAQs](#)

Apply to Become a Service Provider

This application is for service providers only.

- [Service Provider Application](#)
- [Individual Agreement](#)
- [Organization Agreement](#)

Vendors

Apply to become a PDES Vendor:

We are looking for businesses to join the PDES marketplace where PDES families will shop for the products that will most benefit their student.

Businesses can join in two ways:

1. As a DirectPay vendor (Requires a US-based Bank Account)
2. As an Integrated eCommerce ClassWallet vendor (Requires eCommerce)

1. Information for Direct Pay Vendors

This option is for businesses who offer educational and therapeutic goods to join as PDES Direct Pay vendors so that PDES families can shop for products that provide an academic benefit to their student. Once approved, PDES Direct Pay vendors will be found within the ClassWallet marketplace's "Pay Vendor" portal.

Businesses that sell eligible goods may apply to the PDES program to be considered as a direct pay vendor by clicking "Apply to Become Direct Pay Vendor" below. Businesses will be asked to provide their website, federal or state taxpayer number, and/or state business license when completing the application. Only businesses within the United States will be eligible to apply.

If approved, they will be added to the list of eligible direct pay vendors within the ClassWallet “Pay Vendor” portal. Once the family makes their selection of items from the approved direct pay vendor, the direct pay vendor will create an invoice or a quote for the family to submit for approval. When the invoice/quote is reviewed and approved, the online marketplace will transfer funds directly to the vendor, and the direct pay vendor will ship the item to the PDES family.

Please note that ClassWallet charges a 2.5% service fee which, like a credit card fee, is to be paid by the vendor and not the parent or the PDES program.

Become a PDES Direct Pay Vendor:

[Apply to Become a Direct Pay Vendor](#)

PDES Direct Pay Vendors must also complete the “Direct Pay Agreement.”

[Complete Direct Pay Vendor Agreement](#)

Note: This application is for vendors only.

2. Information for Integrated eCommerce ClassWallet Vendors

This option is for businesses that want to become a store within the ClassWallet marketplace. These vendors will have their own shopping tile and their website will have the ability to interface with the ClassWallet platform so that their shopping carts, search features, and general shopping experience works within the ClassWallet marketplace. The PDES program approves all vendors to be part of the PDES ClassWallet marketplace.

Please note any associated marketplace fees are paid by the vendor and not the parent or the PDES program.

Steps to Becoming an Integrated eCommerce ClassWallet Vendor:

Step 1: [Apply for Approval](#)

Step 2: [Contact ClassWallet Vendor Account Management](#)

[View TEA Approved Vendors](#)

Education Savings Account (ESA)

Senate bill approved [.SB 2](#), a new school choice program was approved in the 2025 legislation session and signed into law by the governor on 3 May 2025. It will take effect in the 2026-2027 school year.

Some of the requirements include:

1. Must be accredited. See the accreditation organization on this [list](#).
2. Must give norm referenced test. See the approved assessments on this [list](#).
3. Must be in business for 2 years.

The [Texas Private Schools Association](#) is supporting the following new ESA proposals:

- \$8,000-\$10,000 offered per child—about 50,000-60,000 kids will be funded across the state.
- Only accredited private schools may participate; no unaccredited schools are allowed to participate.
- Must have religious liberty protections and private school autonomy language.
- Student Priorities:
 - 1) low-income children;
 - 2) special needs children;
 - 3) other students if money remains.