

## Your Question:

You wanted to know whether Education Commission of the States collects data on state policies requiring private school teachers to hold a state teaching license and/or undergo a background check as a requisite for employment.

## Our Response:

Unfortunately, Education Commission of the States does not track state teacher policies related to private schools specifically. However, the [US Department of Education](#) maintains a 50-state database of state regulations of private and home schools. From the profiles provided in the database, we have highlighted several states' certification requirements and background check requirements. The state profiles include a full legal citation for reference.

**Certification requirements.** The following are a sample of states requiring private school teachers to be state certified:

**Alabama** – Teachers instructing in private schools, but not church schools, must hold certificates issued by the state superintendent of education.

**Kentucky** – Proprietary schools are subject to state minimum standards. The standards include qualifications of instructors and administrators.

**Texas** – Teacher certification is not required for private schools. However, 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. Accrediting agencies may choose to use Texas state teacher certification or may recognize out-of-state credentials.

**Washington** – All classroom teachers must hold appropriate Washington state certification except those teaching religious courses, or courses for which no counterpart exists in public schools. In some cases, people of unusual competence – defined in state regulations – may teach so long as a certified person provides general supervision.

**Background check requirements.** Some states may require teachers to undergo a background check as a condition of employment. However, states requiring a background check may or may not have certification requirements. The following is a sample of states requiring background checks for private school teachers and personnel:

**California** – The Accrediting Commission of Schools shall make available to each private school a listing of all credential holders who have final adverse action taken against their credential. The information shall be identical to that made available to public schools in the state. Quarterly, the commission must also send a complete and updated list of all teachers who have had their teaching credentials revoked or suspended. However, teacher certification for private schools is optional.

**Maryland** – All nonpublic school employees and employers who have frequent contact with, or access to, students enrolled at a school are required to apply for and undergo a criminal background check. The applicants are responsible for fees assessed unless the employer agrees to pay the costs. Teachers who provide instruction in

English, language arts, mathematics, social studies, and courses for secondary school credit at private schools must have a bachelor's degree or some equivalent.

**Pennsylvania** – Private school administrators must require applicants for positions with direct contact with children to produce with their applications a criminal history report from the Pennsylvania State Police and a clearance statement resulting from a background check for employment conducted by the department of public welfare within the immediately preceding year. Persons not receiving a clearance statement are ineligible for employment. Teachers must hold a valid Pennsylvania professional teaching certificate to teach in a licensed private academic school.

#### *Additional Resources*

In addition to the US Department of Education's database on private school policies and regulations, Education Commission of the States has several additional resources that you may find useful:

- **[50-State Comparison: Teacher License Reciprocity](#)** – This 50-state scan provides a comprehensive overview of licensure reciprocity policies. While not immediately relevant to private schools, states with private school certification policies may require out-of-state instructors to meet state requirements.
- **[State Legislation: Teaching Quality](#)** – Our database of teacher related legislation provides an overview of the historic trends in most (if not all) key aspects of teacher related policies. The resource provides summaries of enacted and vetoed legislation broken down by subsections.
- **[State Policy Tracking](#)** – This interactive tool allows users to view recent enacted and vetoed legislation along with summaries on a heat density map. The tool shows the most active areas for legislation on specific topics as well as the sub-issues.
- **[State Information Request: Student-teacher relationships](#)** – This information request response provides an overview of state policies seeking to address issues with tracking and reporting incidences of teacher misconduct. Some of the policies may apply to private school instructors.