

EXEMPTIONS FROM THE HIGHER EDUCATION LICENSING PROCESS FOR RELIGIOUS COLLEGES/UNIVERSITIES

You asked for the statutory language for states that exempt religious colleges, or bible colleges, from the higher education licensing process.

SUMMARY

Currently, 28 states exempt religious schools or bible colleges from their higher education licensing, certification, or accreditation process; Connecticut is among the 22 states that do not. Among the states that exempt religious colleges, the statutes vary based on (1) the types of institutions that qualify for an exemption, (2) the programs of study the institutions offer, (3) the degrees or diplomas conferred, and (4) the filing requirements.

RELIGIOUS COLLEGE EXEMPTION

Overview

Table 1 lists the states with and without an exemption for religious colleges. Currently, 28 states exempt religious schools from their higher education licensing process and 22 states do not.

Table 1: Religious College Exemption

<i>Religious Exemption</i>	<i>No Exemption</i>
Alabama	Alaska
Arizona	Connecticut
Arkansas	Delaware
California	Illinois
Colorado	Indiana
Florida	Kansas
Georgia	Kentucky
Hawaii	Massachusetts
Idaho	Michigan
Iowa	Mississippi
Louisiana	Montana
Maine	Nebraska
Maryland	Nevada
Minnesota	New Hampshire

Missouri	New Jersey
New Mexico	New York
North Carolina	North Dakota
Ohio	Oklahoma
Oregon	Pennsylvania
South Carolina	Rhode Island
South Dakota	Tennessee
Utah	Texas
Vermont	
Virginia	
Washington	
West Virginia	
Wisconsin	
Wyoming	

Connecticut

Connecticut is among the 22 states that do not exempt religious colleges from licensure or accreditation. CGS § 10a-34 defines licensure as the approval by the Board of Governors of Higher Education to operate an institution of higher education. It defines accreditation as the authorization by Board to confer specified degrees. CGS § 10a-34(d) states that, “No person, school, board association or corporation shall operate a program or institution of higher learning unless it has been licensed or accredited by the Board of Governors of Higher Education, nor shall it confer any degree unless it has been accredited in accordance with this section.”

STATUTORY LANGUAGE BY STATE

Appendix 1 includes the statute for each state with a religious exemption. The statutes vary based on several factors.

Type of Institution- Some states exempt only religious institutions owned or operated by a church. Other states exempt to nonprofit, tax-exempt, religious institutions.

Programs of Study- States vary in the limitations they place on the courses or programs offered by exempt institutions. In some states, the exemptions are limited to those that prepare students for a vocation in the church or religious organization.

Degrees- States vary on (1) whether the institutions can confer degrees, (2) the types of degrees they can confer, and (3) the degree titles they can use.

Filing Requirements- The states vary based on whether the institutions are required to file regularly with the state. Several states require that exempt institutions file annually in order to maintain their exempt status.

Table 2 summarizes the 28 states' exemptions statutes.

Table 2: Overview of Religious College Exemption Statutes

	<i>Institutional Requirements</i>	<i>Program of Study</i>	<i>Degrees</i>	<i>Filing Requirement</i>	<i>Other</i>
Alabama	Schools operating on a nonprofit basis	Must prepare students for the ministry of an established church or religion			
Arizona	Religious organization with tax-exempt status		Religious degrees only		
Arkansas	Institution providing church-related training	Must prepare students for leadership positions in the church	<ul style="list-style-type: none"> • The degree title must include a religious modifier • Cannot use a secular degree title 		
California	Nonprofit religious corporation	Limited to the principles of the church	<ul style="list-style-type: none"> • Religious degrees only • The diploma must reference the religious nature of the degree 	Must register annually	
Colorado	Any religious, educational, or benevolent organization		Has the authority to confer degrees and grant diplomas, same as other colleges		
Florida	<ul style="list-style-type: none"> • Religious colleges • The name of the institution must contain a religious modifier 	Must (1) prepare students for a religious vocation or (2) be in a specific program of study as outlined by the statute	The degree title must include a religious modifier		
Georgia	Nonpublic, nonprofit postsecondary educational		Religious degrees only	Must register annually	Cannot accept a student who has a federal

	institutions that accept no state or federal funds				or state educational loan to attend the institution
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Table 2: -Continued-

	<i>Institutional Requirements</i>	<i>Program of Study</i>	<i>Degrees</i>	<i>Filing Requirement</i>	<i>Other</i>
Hawaii	Schools conducted by religious organizations	Religious programs solely for the instruction of the institution's members			
Idaho	Any postsecondary religious institution	Religious training only	Cannot grant degrees		
Iowa	Religious organizations	Religious programs solely for the instruction of the institution's members			
Louisiana	Institutions that provide religious training only	Solely religious training or theological education, including sacred music	<ul style="list-style-type: none"> • Degree only for completion of religious education • Cannot offer nonreligious degrees 		
Maine	Educational institution owned and operated by a church or religious organization	Intended to prepare members for leadership in the organization			
Maryland	A religious educational institution founded and operated by a church	For religious vocations or for members who seek to learn the beliefs of the organization	The diploma or degree states the religious nature of the degree		

Table 2: -Continued-

	<i>Institutional Requirements</i>	<i>Program of Study</i>	<i>Degrees</i>	<i>Filing Requirement</i>	<i>Other</i>
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Minnesota	Any school substantially owned, operated, or supported by a church or religious organization	<ul style="list-style-type: none"> • Aimed for and attended by individuals who hold or seek to learn the beliefs of the organization • Designed to prepare students to become ministers of the church • No programs not closely related to the organization's beliefs 			
Missouri	Nonprofit religious schools (1) accredited by a national or regional accrediting association or (2) owned and operated by a religious organization	Religious programs only	Religious degrees only		
New Mexico	Chartered, nonprofit religious institutions	<ul style="list-style-type: none"> • Religious programs only • Prepare students for a religious vocation 			
North Carolina	Any institution, exemption is granted with respect to the program of study	Must be primarily to prepare students in a religious vocation			
Ohio	Any institution that identifies itself as a "bible college" or "bible institute"	Limited to religion, theology, or preparation for a religious vocation	<ul style="list-style-type: none"> • Cannot be identified as associate, baccalaureate, master's, or doctoral degrees • Must clearly signify the religious nature of the program 		The institution's written materials must be marked with, "this institution is not certified by the board of regents of the state of Ohio."
Oregon	Any parochial or denominational institution	Religious programs only	Cannot grant degrees		

Table 2:-Continued-

	<i>Institutional Requirements</i>	<i>Program of Study</i>	<i>Degrees</i>	<i>Filing Requirement</i>	<i>Other</i>
South Carolina	Independent, church-related institutions	Religious or theological training			
South Dakota	Religious institutions	Solely for conferring status or authority within that religion	Solely for conferring status or authority within that religion		
Utah	<ul style="list-style-type: none"> • Private institutions that are owned, controlled, or operated by a church or religious denomination • Must be exempt from property taxation 				
Vermont		Religious instruction	Cannot result in earning credits or a degree		
Virginia	Any institution of higher education whose primary purpose is religious education	Religious or theological education	<ul style="list-style-type: none"> • Degree titles and diplomas must indicate the institution's primary purpose and state that the institution is exempt from state approval • Cannot award the titles of secular degrees 	Must state in writing to the director of the council that it complies with the provisions	
Washington	Institutions of a religious character	Religious programs only			The institution's publications must reflect the religious objectives of the programs

Table 2: -Continued-

	<i>Institutional Requirements</i>	<i>Program of Study</i>	<i>Degrees</i>	<i>Filing Requirement</i>	<i>Other</i>
West Virginia	<ul style="list-style-type: none"> • Nonprofit, tax-exempt and owned and operated by a 	Limited to the principles of the church or denomination	<ul style="list-style-type: none"> • Limited to evidence of completion of the religious 		

	church • Must be authorized by the state as a seminary or bible college		education • Must reference the religious nature of the degree • Cannot offer secular degrees		
Wisconsin	Parochial or denominational schools	Religious programs only			Exempt from certification as a technical college
Wyoming	Parochial, church, or religious schools maintained by a church or religious organization.				

APPENDIX 1: RELIGIOUS EXEMPTION STATUTE BY STATE

Alabama	<p>AL Code § 16-46-3. Exemptions from chapter; records of private schools ceasing operations.</p> <p>(a) This chapter shall not apply to any of the following schools nor to any person in regard to the operation of such schools, except for the conditions stated in this section:</p> <p>(1) Schools operated on a nonprofit basis offering only courses or programs of study in the performance of or preparation for the ministry of any established church, denomination, or religion.</p>
Arizona	<p>ARS § 32-3022. License to grant degrees</p> <p>E. This section does not apply to religious degrees which are used solely for religious purposes within a religious organization which has tax exempt status from the internal revenue service.</p>
Arkansas	<p>ADHE Part III. Non-Academic Church-Related Training</p> <p>Institutions operated solely to provide programs of study in church-related training may be eligible for exemption from certification. Programs offered by such institutions would specifically prepare students to assume leadership positions in the church and/or religious organization. Church-related training must be clearly labeled so that both the recipients of the training and persons evaluating that training are able to identify the nature and purpose of the program. Each degree title must include a religious modifier. The religious modifier must be placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents or publications. Degree titles that have been approved by AHECB that <i>cannot</i> be used by institutions seeking an exemption include, but are not limited to the Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, Doctor of Philosophy, and Doctor of Education. Religious modifiers cannot be added to these degree titles. For an updated list of non-exempt degree titles see the current list of AHECB approved academic degree programs at www.arkansashighered.com.</p>

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<p>California</p>	<p>CA Education § 94739(b)</p> <p>(6) A nonprofit institution owned, controlled, and operated and maintained by a bona fide church, religious denomination, or religious organization comprised of multidenominational members of the same well-recognized religion, lawfully operating as a nonprofit religious corporation pursuant to Part 4 (commencing with Section 9110) of Division 2 of Title 1 of the Corporations Code, if the education is limited to instruction in the principles of that church, religious denomination, or religious organization, or to courses offered pursuant to Section 2789 of the Business and Professions Code, and the diploma or degree is limited to evidence of completion of that education, and the meritorious recognition upon which any honorary degree is conferred is limited to the principles of that church, religious denomination, or religious organization. Institutions operating under this paragraph shall offer degrees and diplomas only in the beliefs and practices of the church, religious denomination, or religious organization. The enactment of this paragraph expresses the legislative intent that the state shall not involve itself in the content of degree programs awarded by any institution operating under this paragraph, as long as the institution awards degrees and diplomas only in the beliefs and practices of the church, religious denomination, or religious organization. Institutions operating under this paragraph shall not award degrees in any area of physical science. Any degree or diploma granted in any area of study under these provisions shall contain on its face, in the written description of the title of the degree being conferred, a reference to the theological or religious aspect of the degree's subject area. Degrees awarded under this paragraph shall reflect the nature of the degree title, such as "associate of religious studies," or "bachelor of religious studies," or "master of divinity" or "doctor of divinity." The use of the degree titles "associate of arts" or "associate of science," "bachelor of arts" or "bachelor of science," "master of arts" or "master of science," or "doctor of philosophy" or "Ph.D." shall only be awarded by institutions approved to operate under Article 8 (commencing with Section 94900) or meeting the requirements for an exemption under Section 94750. The enactment of this paragraph is intended to prevent any entity claiming to be a nonprofit institution owned, controlled, and operated and maintained by a bona fide church, religious denomination, or religious organization comprised of multidenominational members of the same well-recognized religion, lawfully operating as a nonprofit religious corporation pursuant to</p> <p>Part 4 (commencing with Section 9110) of Division 2 of Title 1 of the Corporations Code, from marketing and granting degrees or diplomas that are represented as being linked to their church, religious denomination, or religious organization, but which, in reality, are degrees in secular areas of study. An institution operating under this paragraph shall file annually with the council evidence to demonstrate its status as a nonprofit religious corporation under the Corporations Code. A college or university operating under this paragraph shall file annually with the council evidence to demonstrate its status as a nonprofit religious corporation under the Corporations Code.</p>
<p>Colorado</p>	<p><u>CO § 7-50-105. Educational institution may confer degrees.</u></p> <p>Any corporation existing for educational purposes under the law of this state that maintains one or more institutions of higher education of the grade of a university or college shall have authority, by its directors, board of trustees, or such person or persons as may be designated by its constitution or bylaws, to confer degrees and grant diplomas and other marks of distinction as are usually conferred and granted by other universities and colleges of like grade.</p>

Appendix 1: -Continued-

<p>Florida</p>	<p>FL § 1005.06. Institutions not under the jurisdiction or purview of the commission.—</p> <p>(1) Except as otherwise provided in law, the following institutions are not under the jurisdiction or purview of the commission and are not required to obtain licensure:</p> <p>(f) A religious college may operate without governmental oversight if the college annually verifies by sworn affidavit to the commission that:</p> <ol style="list-style-type: none"> 1. The name of the institution includes a religious modifier or the name of a religious patriarch, saint, person, or symbol of the church. 2. The institution offers only educational programs that prepare students for religious vocations as ministers, professionals, or laypersons in the categories of ministry, counseling, theology, education, administration, music, fine arts, media communications, or social work. 3. The titles of degrees issued by the institution cannot be confused with secular degree titles. For this purpose, each degree title must include a religious modifier that immediately precedes, or is included within, any of the following degrees: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, Doctor of Philosophy, and Doctor of Education. The religious modifier must be placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents or publications. 4. The duration of all degree programs offered by the institution is consistent with the standards of the commission. 5. The institution's consumer practices are consistent with those required by s. 1005.04. <p>The commission may provide such a religious institution a letter stating that the institution has met the requirements of state law and is not subject to governmental oversight.</p>
<p>Georgia</p>	<p>GA §20-3-250.3.</p> <p>(a) The following education and postsecondary educational institutions are exempted from this part except as expressly provided to the contrary:</p> <p>(6) Nonpublic, nonprofit, postsecondary educational institutions which demonstrate annually to the satisfaction of the commission that their purposes are solely to provide programs of study in theology, divinity, religious education, and ministerial training, and that they do not grant postsecondary degrees of a nonreligious nature and that such institutions:</p> <p>(A) Accept no federal or state funds; and</p> <p>(B) Accept no student who has a federal or state education loan to attend such institutions;</p>

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<p>Hawaii</p>	<p>HI ST §446E-1.6 Exceptions.</p> <p>This chapter shall not apply to the types of schools and courses of instruction that</p>
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	<p>include:</p> <p>(9) Schools and educational programs conducted by religious organizations solely for the religious instruction of their members;</p>
Idaho	<p>ID Code § 33-2402. Registration of Postsecondary Educational Institutions.</p> <p>(1) Unless exempted as provided herein, each postsecondary educational institution which maintains a presence within the state of Idaho, or which operates or purports to operate from a location within the state of Idaho, shall register annually with and hold a valid certificate of registration issued by the board. A public postsecondary educational institution or agency supported primarily by taxation from either the state of Idaho or a local source in Idaho shall not be required to register under this section. The board may exempt a nonprofit postsecondary educational institution from the registration requirement in accordance with standards and criteria established in rule by the board. The board may permit a postsecondary educational institution required to register under this section to instead register as a proprietary school under section 33-2403, Idaho Code, in accordance with standards and criteria established in rule by the board.</p> <p>33-2403. Registration of Proprietary Schools.</p> <p>(1) Unless exempted as provided in subsection (4) of this section, each proprietary school which maintains a presence within the state of Idaho, or which operates or purports to operate from a location within the state of Idaho, shall register annually with and hold a valid certificate of registration issued by the board or its designee.</p> <p>(4) The following individuals or entities are specifically exempt from the registration provisions required by this section:</p> <p>(h) A parochial or denominational institution providing instruction or training relating solely to religion and for which degrees are not granted.</p>
Iowa	<p>ICA § 261B.11 Exceptions.</p> <p>This chapter does not apply to the following types of schools and courses of instruction:</p> <p>8. Schools and educational programs conducted by religious organizations solely for the religious instruction of members of that religious organization.</p>
Louisiana	<p>LSA-RS 17:1808 (J) (2)</p> <p>(2) Any institution whose primary purpose is to provide religious training or theological education, including sacred music, and whose degree is limited to evidence of completion of that education shall be exempt from the provisions of Subsections C through I of this Section; however, any such institution which also offers academic degrees that are not awarded for the completion of religious training or theological education, including sacred music, shall, to the extent of such nonreligious, nontheological degrees, be subject to the provisions of Subsections C through I of this Section. Nothing in this Paragraph shall be construed to prevent an institution which falls within the provisions of this Paragraph from providing instruction or courses which could be considered secular.</p>

Appendix 1: -Continued-

Maine	<p>20-A MRSA §10708. Exemptions</p> <p>This chapter does not apply to educational institutions which: [1981, c. 693, §§5,</p>
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	<p>8(new).]</p> <p>4. Religious, nonpublic, educational institution. Meet the following criteria.</p> <p>A. The educational institution must be substantially owned, operated or supported by a bona fide church or religious organization. [2005, c. 85, §2 (new).]</p> <p>B. The educational programs of the educational institution must be primarily designed for, aimed at and attended by persons who seek to learn the particular religious faith or beliefs of the church or religious organization under paragraph A. [2005, c. 85, §2 (new).]</p> <p>C. The programs under paragraph B must be intended to prepare students to assume leadership positions in, or enter into some other vocation closely related to, the particular faith of the church or religious organization under paragraph A. [2005, c. 85, §2 (new).]</p> <p>The exemption under this subsection does not apply to any educational institution that represents to any student or prospective student that the major purpose of its program is to prepare the student for a vocation not closely related to the particular religious faith of the educational institution or to provide the student with a general educational program substantially equivalent to the educational programs offered by schools or departments or branches of schools that are not exempt from this section. Any educational institution receiving an exemption under this subsection must inform all applicants of its exempt status in writing and must prominently display the following statement on all written materials, including, but not limited to, any electronic materials, made available to potential applicants or to the general public: “Pursuant to the Maine Revised Statutes, Title 20-A, section 10708, subsection 4, this institution is not required to obtain authorization from either the State Board of Education or the Maine State Legislature in order to: (1) use the name “junior college,” “college” or “university,” (2) offer courses or programs for academic credit or (3) confer degrees.” [2005, c. 85, §2 (new).]</p>
<p>Maryland</p>	<p>MD EDUC § 11-202</p> <p>(c) Subject to the requirements imposed by subsection (d) of this section, the following institutions of postsecondary education may operate without a certificate of approval from the Commission:</p> <p>(2) A religious degree-granting institution which certifies, in accordance with procedures established by the Commission, that it:</p> <p>(i) Is founded and operated by a church or organization of churches as an integral part of the religious ministry of that church or organization;</p> <p>(ii) Offers sectarian instruction only designed for and aimed at persons who hold or seek to learn particular religious faiths or beliefs of churches or religious organizations, and provides only educational programs for religious vocations; and</p> <p>(iii) States on the diploma or degree the religious nature of the degree; and</p> <p>(3) A church or other religious institution offering a postsecondary instructional program leading to a diploma or certificate only if designed for and aimed at persons who hold or seek to learn the particular religious faith or beliefs of that church or religious organization, and providing only educational programs for religious purposes.</p>

Appendix 1: -Continued-

<p>Minnesota</p>	<p>MN § 136A.657. Exemption; Religious Schools.</p> <p>Subdivision 1. Exemption. Any school or any department or branch of a school (a) which is substantially owned, operated or supported by a bona fide church or religious organization; (b) whose programs are primarily designed for, aimed at and attended by persons who sincerely hold or seek to learn the particular religious faith or beliefs of that church or religious organization; and (c) whose programs are primarily intended to prepare its students to become ministers of, to enter into some other vocation closely related to, or to conduct their lives in consonance with, the particular faith of that church or religious organization, is exempt from the provisions of sections 136A.61 to 136A.71.</p> <p>Subdivision 2. Limitation. This exemption shall not extend to any school or to any department or branch of a school which through advertisements or solicitations represents to any students or prospective students that the school, its aims, goals, missions or purposes or its programs are different from those described in subdivision 1. This exemption shall not extend to any school which represents to any student or prospective student that the major purpose of its programs is to prepare the student for a vocation not closely related to that particular religious faith, or to provide the student with a general educational program recognized by other schools or the broader educational, business or social community as being substantially equivalent to the educational programs offered by schools or departments or branches of schools which are not exempt from sections 136A.61 to 136A.71, and rules adopted pursuant thereto.</p> <p>Subdivision 3. Scope. Nothing in sections 136A.61 to 136A.71, or the rules adopted pursuant thereto, shall be interpreted as permitting the office to determine the truth or falsity of any particular set of religious beliefs.</p>
<p>Missouri</p>	<p>MO § 173.616. Schools and courses that are exempt from sections 173.600 to 173.618.</p> <p>173.616. 1. The following schools, training programs, and courses of instruction shall be exempt from the provisions of sections 173.600 to 173.618:</p> <p>(4) A not-for-profit religious school that is accredited by the American Association of Bible Colleges, the Association of Theological Schools in the United States and Canada, or a regional accrediting association, such as the North Central Association, which is recognized by the Council on Postsecondary Accreditation and the United States Department of Education.</p> <p>2. The coordinating board shall exempt the following schools, training programs and courses of instruction from the provisions of sections 173.600 to 173.618:</p> <p>(1) A not-for-profit school owned, controlled and operated by a bona fide religious or denominational organization which offers no programs or degrees and grants no degrees or certificates other than those specifically designated as theological, bible, divinity or other religious designation;</p>

Appendix 1: -Continued-

<p>New Mexico</p>	<p>NM § 21-23-4. Exceptions</p> <p>A. The Post-Secondary Educational Institution Act [21-23-1 NMSA 1978] does not</p>
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	<p>apply to or affect:</p> <p>(8) chartered, nonprofit religious institutions whose sole purpose is to train students in religious disciplines to prepare them to assume a vocational objective relating primarily to religion;</p>
North Carolina	<p>NC ST § 116-15 (d)</p> <p>(d) Exemption of Institutions Relative to Religious Education. – Notwithstanding any other provision of this section, no institution shall be subject to licensure under this section with respect to post-secondary degree activity based upon a program of study, equivalent experience, or achievement testing the institutionally planned objective of which is the attainment of a degree in theology, divinity, or religious education or in any other program of study, equivalent experience, or achievement testing that is designed by the institution primarily for career preparation in a religious vocation. This exemption shall be extended to any institution with respect to each program of study, equivalent experience, and achievement test that the institution demonstrates to the satisfaction of the Board should be exempt under this subsection.</p>
Ohio	<p>OH ST § 1713.02. Certificate of authorization.</p> <p>(E) An institution that clearly identifies itself in its name with the phrase "bible college" or "bible institute" and has not received a certificate of authorization may confer diplomas and other written evidences of proficiency or achievement other than associate, baccalaureate, master's, and doctoral degrees or any other type of degree and may identify itself as a "bible college" if such institution:</p> <p>(1) Prominently discloses on any transcripts, diplomas, or other written evidences of proficiency or achievement, and includes with any promotional material or other literature intended for the public, the statement: "this institution is not certified by the board of regents or the state of Ohio."</p> <p>(2) Limits its course of instruction to religion, theology, or preparation for a religious vocation, or is operated by a church or religious organization and limits its instruction to preparation for service to churches or other religious organizations.</p> <p>(3) Confers only diplomas and other written evidences of proficiency or achievement that bear titles clearly signifying the religious nature of the instruction offered by the institution.</p> <p>(F) Except as otherwise provided in section 3333.046 [3333.04.6] of the Revised Code, no school of the type described in division (E) of section 3332.01 of the Revised Code that intends to offer or offers a degree program within this state or solicits students within this state may confer a baccalaureate, master's, or doctoral degree or solicit students for such degree programs until it has received both a certificate of authorization from the board of regents under this chapter and program authorization from the state board of career colleges and schools for such degree program under section 3332.05 of the Revised Code.</p>

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Oregon	<p>ORS 345.015.</p> <p>ORS 345.010 to 345.450 do not apply to:</p> <p>(9) Any parochial or denominational institution providing instruction or training relating solely to religion and which does not grant degrees.</p>
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South Carolina	<p>SC ST § 59-58-30. Exclusions from definition of “nonpublic educational institution.”</p> <p>The definition of “nonpublic educational institution” does not include:</p> <p>(2) institutions that:</p> <p>(a) are independent or church-related,</p> <p>(4) institutions whose sole purpose is religious or theological training;</p>
South Dakota	<p>SDCL § 13-49-27.1</p> <p>Nonaccredited institutions prohibited from offering postsecondary education credit or degree--Misdemeanor and civil penalty--Exception. No person or governmental entity may offer postsecondary education credit or degree in South Dakota, or while organized under the laws of South Dakota, unless currently holding accreditation from a regional accrediting agency recognized by the United States Department of Education pursuant to 20 U.S.C. § 1099b as amended to January 1, 2001, or participating in any federal financial assistance program authorized by Title IV of the Higher Education Act of 1965 as amended to January 1, 2001. A violation of this section is a Class 1 misdemeanor and subjects the violator to a civil penalty of twenty-five thousand dollars.</p> <p>The provisions of this section do not apply to a religious institution that offers credit or degree solely for the purpose of conferring status or authority within that religion.</p>
Utah	<p>UCA §13-34-105. Exempted institutions</p> <p>(1) This chapter does not apply to the following institutions:</p> <p>a private, postsecondary educational institution that is owned, controlled, operated, or maintained by a bona fide church or religious denomination, which is exempted from property taxation under the laws of this state;</p>
Vermont	<p>VT ST. T. 16 § 176</p> <p>(d) Exemptions. The following are exempt from all the requirements of this section except for the requirements of subdivision (c)(1)(C) of this section:</p> <p>(6) Religious instruction which does not result in earning credits or a degree.</p>

Appendix 1: -Continued-

Virginia	<p>8 VAC §40-30-50</p> <p>A. This chapter shall not apply to any institution of higher education whose primary purpose is to provide religious training or theological education, provided that the institution:</p> <p>1. Awards only degrees, diplomas, or certificates (i) whose titles indicate the institution's primary purpose plainly upon their face and (ii) which state that the institution is excluded from the requirement of state approval; and</p> <p>2. States plainly in its catalogs and other publications that (i) the institution's primary purpose is to provide religious training or theological education, (ii) the institution's degrees, diplomas, or certificates are so titled and worded, and (iii) the institution is</p>
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	<p>exempt from the requirement of state approval.</p> <p>B. The title of each degree, diploma, or certificate awarded by an institution which claims an exemption under the provisions of this section must reflect that the institution's primary purpose is religious education.</p> <p>1. The titles of religious degrees that may be awarded include, but are not limited to, (i) Bachelor of Christian Education, (ii) Master of Divinity, and (iii) Doctor of Sacred Theology.</p> <p>2. The titles of “secular” degrees that may not be awarded in any discipline, including religion, Christian education, and biblical studies, are (i) Associate of Arts, (ii) Associate of Science, (iii) Associate of Applied Science, (iv) Associate of Occupational Science, (v) Bachelor of Arts, (vi) Bachelor of Science, (vii) Master of Arts, (viii) Master of Science, (ix) Doctor of Philosophy, and (x) Doctor of Education.</p> <p>C. An institution which complies with all of the provisions of subsection A of this section may state in writing to the director of the council that the institution is exempt from the provisions of Chapter 21 (§ 23-265 et seq.) of Title 23 of the Code of Virginia and this chapter. Upon recognition of the institution's claim by the director of the council, the institution thereafter shall not be required to submit to the council any further statement or application for exemption from the requirement of state approval, unless the institution ceases to comply with one or more of the provisions of this section, or unless the institution wishes to be partially exempt under the provisions of 8 VAC 40-30-60 A 6 of this chapter.</p> <p>D. The council, on its own motion, may initiate formal or informal inquiries to confirm that this chapter is not applicable to a religious institution if the council has reason to believe that the institution may be in violation of the provisions of this section.</p> <p>1. Any institution which claims an exemption under subsection A of this section on the basis that its primary purpose is to provide religious training or theological education shall be entitled to a rebuttable presumption of the truth of that claim.</p> <p>2. It shall be the council's responsibility to show that an institution is not exempt under subsection A of this section.</p> <p>3. The council assumes no jurisdiction or right to regulate religious beliefs under this chapter.</p> <p>An institution whose claim for exemption under subsection A of this section is denied by the council shall have the opportunity to appeal the council's action in accordance with 8 VAC 40-30-70</p>
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Appendix 1: -Continued-

<p>Washington</p>	<p>RCWA §28b.85.040</p> <p>(1) An institution or person shall not advertise, offer, sell, or award a degree or any other type of educational credential unless the student has enrolled in and successfully completed a prescribed program of study, as outlined in the institution's publications. This prohibition shall not apply to honorary credentials clearly designated as such on the front side of the diploma or certificate and awarded by institutions offering other educational credentials in compliance with state law.</p>
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	<p>(2) No exemption or waiver granted under this chapter is permanent. The board shall periodically review exempted degree-granting institutions and degree-granting institutions granted a waiver, and continue exemptions or waivers only if an institution meets the statutory or board requirements for exemption or waiver in effect on the date of the review.</p> <p>(3) Except as provided in subsection (1) of this section, this chapter shall not apply to:</p> <p>(c) Institutions of a religious character, but only as to those education programs devoted exclusively to religious or theological objectives if the programs are represented in an accurate manner in institutional catalogs and other official publications;</p>
<p>West Virginia</p>	<p>WV ADC §133-20-6. AUTHORIZATION TO OPERATE</p> <p>6.1 An institution locating in West Virginia must register with the Secretary of State's office prior to making any application to the Commission for authorization.</p> <p>6.2 All private colleges and universities, private proprietary schools and seminaries or Bible colleges offering any degree above the associate level shall register with the Commission, shall meet the authorization criteria, and shall be granted authorization prior to offering any program of instruction, credit, or degree; opening a place of business; soliciting students or enrollees; or offering educational support services.</p> <p>WV ADC §133-20-8. CRITERIA FOR AUTHORIZATION – SEMINARY OR BIBLE COLLEGE</p> <p>8.1 To qualify as a seminary or Bible college, an institution must qualify both as an institution of higher education as defined in section 3 of this rule and as a religious institution based on meeting each of the following criteria.</p> <p>8.1.1 Be a non-profit institution owned, controlled, and operated and maintained by a bona fide church or religious denomination, lawfully operating as a non-profit religious corporation.</p> <p>8.1.2 Limit the educational program to the principles of that church or denomination, and the diploma or degree is limited to evidence of completion of that education.</p> <p>8.1.3 Only grant degrees or diplomas in areas of study that contain on their face, in the written description of the title of the degree or diploma being conferred, a reference to the theological or religious aspect of the degree's subject area.</p> <p>8.1.4 Not market, offer, or grant degrees or diplomas which are represented as being linked to a church or denomination, but which, in reality, are degrees in secular areas of study.</p>

Appendix 1: -Continued-

<p>West Virginia</p> <p>-Continued-</p>	<p>8.1.5 Have obtained exemption from property taxation under state law and shall have submitted a copy of the certificate of this exemption to the Commission.</p> <p>8.2 Additional evidence may be provided by an institution seeking to substantiate that the institution is a religious institution including:</p> <p>8.2.1 Evidence that the institution holds at least pre-accreditation status with one of</p>
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	<p>the following nationally recognized accrediting associations:</p> <p>(a) The Accrediting Association of Bible Colleges; or</p> <p>(b) The Association of Advanced Rabbinical and Talmudic Schools; or</p> <p>(c) The Association of Theological Schools in the United States and Canada; or</p> <p>(d) Other appropriate accrediting association recognized by the U.S. Department of Education and determined as appropriate by the Commission.</p> <p>8.2.2 A statement of institutional mission clearly establishing the mission of the institution as solely religious, and curricula and degree, diploma, or certification programs that clearly support that mission singularly.</p> <p>8.2.3 Other appropriate, substantial, evidence of qualification for state authorization as a seminary or Bible college.</p> <p>8.3 An institution shall not be eligible for authorization as a seminary or Bible college if it offers degrees appropriate only for academic institutions, such as, but not limited to, Bachelor of Arts or Bachelor of Science, Master of Arts or Master of Science, Doctor of Philosophy, or other degrees typically offered by academic institutions, regardless of curriculum of course content, unless the degree title includes the religious field of study (e.g., "Bachelor of Arts in Religious Studies"). Institutions authorized as seminaries and Bible colleges also shall not offer degrees associated with specific professional fields or endeavors not clearly and directly related to religious studies or occupations. Examples of such degree titles are Bachelor of Business Administration or Master of Business Administration; Bachelor of Education, Master of Education or Doctor of Education; and Doctor of Psychology.</p> <p>8.4 An authorized seminary or Bible college, its educational programs, its degrees and diplomas, and its honorary degrees, have no state approval or recognition status whatsoever. An institution operating under this authorization shall not state or imply by any means whatsoever that there exists any recognition by the state or by any agency or agent of the state of the education, documents awarded by the institution, or the institution itself, other than the institution's authorization to operate.</p>
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Appendix 1: -Continued-

Wisconsin	<p>WSA §38.50</p> <p>(e) "School" means any private trade, correspondence, business, or technical school, but does not include any of the following:</p> <ol style="list-style-type: none"> 1. In-state schools that are exempt from taxation under section 501 of the Internal Revenue Code and that either were incorporated in this state prior to January 1, 1992, or had their administrative headquarters and principal places of business in this state prior to 1970. 2. Schools that are supported mainly by taxes. 3. Schools of a parochial or denominational character offering courses having a sectarian objective.
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Wyoming	<p>WS § 21-2-406. Schools exempted; additional requirements for specified post secondary religious schools.</p> <p>(a) This article does not apply to:</p> <p>(i) Any parochial, church or religious school as defined by W.S. 21-4-101(a)(iv) which is maintained by a church, religious denomination or religious organization comprised of multidenominational members of the same recognized religion, lawfully operating the school or institution pursuant to applicable laws governing its organization, and the school or institution:</p> <p>(A) Offers elementary and secondary education programs only; or</p> <p>(B) Repealed By Laws 2006, Chapter 34, 2.</p>
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