



# Application for Certification Exemption

Pursuant to Virginia Code § 23.1-219(A)(3), without obtaining the certification of the Council or a determination the activity or program is exempt from such certification requirements, no entity shall offer degrees, courses for degree credit, programs of study leading to a degree, or courses for non-degree credit, either at a site or via telecommunications equipment located within the Commonwealth. Any violation of the provisions of the Code of Virginia § 23.1-228 shall be punishable as a Class 1 misdemeanor.

## I. General Information

Institution or Organization Name:			Date:	
Address:				
City:		State:		ZIP Code:
Phone:	( )	Fax:	( )	
Contact Person:				
	<i>First</i>	<i>Last</i>	<i>Title</i>	
Virginia Contact Address:				
City:		State:		ZIP Code:
Phone Number:	( )	Fax Number:	( )	
Contact Email:		Official Website		
Chief Executive Officer:		Title:		

## II. Qualifying Exemptions from Certification

Please check all boxes below that are applicable to the training and provide the necessary documentation as evidence of the exemption. Attach additional information as needed.

<input type="checkbox"/>	<p>Any professional or occupational training program subject to the approval of (i) a regulatory board pursuant to Title 54.1 of the Code of Virginia; or (ii) other state or federal governmental agency so long as the school is not seeking degree-granting status.</p> <p><b>PROOF:</b> To establish exemption under this section, the following evidence must be submitted with your application:</p> <ul style="list-style-type: none"> <li>School name;</li> <li>Program names;</li> <li>A current copy of certificate, license, letter, or other document showing approval of the school under another regulatory board pursuant to Title 54 of the Code of Virginia; another state agency or another federal agency.</li> <li>Contact person, address, email address, and phone number of the office enforcing the State or Federal law by which the school is regulated and approved.</li> </ul>
<input type="checkbox"/>	<p>Any course or program of study given by or approved by any professional body, fraternal organization, civic club, or benevolent order principally for continuing or professional education or similar purpose and for which no certificate, degree, or degree credit is awarded.</p>

	<p><b>PROOF:</b> To establish exemption under this section, the following evidence must be submitted with your application:</p> <ul style="list-style-type: none"> <li>• Program name(s);</li> <li>• A statement explaining how the course or program meets the definition of “continuing or professional education” as defined in the <i>Guidelines and Approval Process for Exemption from Certification for Postsecondary Schools Otherwise Subject to Regulation</i> under item III.</li> <li>• A statement explaining how the entity qualifies as a professional body, fraternal organization, civic club, or benevolent order as defined in the <i>Guidelines and Approval Process for Exemption from Certification for Postsecondary Schools Otherwise Subject to Regulation</i> under item III.</li> </ul>
<input type="checkbox"/>	<p>Courses or programs offered through approved multistate compacts, including but not limited to the Southern Regional Education Board's (SREB) Electronic Campus.</p> <p><b>PROOF:</b> To establish exemption under this section, the following evidence shall be submitted with your application:</p> <ul style="list-style-type: none"> <li>• Program names;</li> <li>• A current copy of the multistate compact approval.</li> </ul>
<input type="checkbox"/>	<p>Any course or program offered and delivered by a postsecondary school solely on a contractual basis for which no individual is charged tuition and there is no advertising for open enrollment.</p> <p><b>PROOF:</b> To establish exemption under this section, the following evidence shall be submitted with your application:</p> <ul style="list-style-type: none"> <li>• Program name(s);</li> <li>• A notarized affidavit from the organization stating the courses are provided on a contractual basis and no tuition is collected from individual students (Note: contractual does NOT mean the student pays the tuition and is reimbursed by the company); and</li> <li>• A notarized statement stating no advertising will be made to solicit or enroll students</li> </ul>
<input type="checkbox"/>	<p>Any school, institute, or course of instruction offered by any trade association or any nonprofit affiliate of a trade association on subjects relating to the trade, business, or profession represented by such association.</p> <p><b>PROOF:</b> To establish exemption under this section, the following evidence shall be submitted with your application:</p> <ul style="list-style-type: none"> <li>• Program name;</li> <li>• A statement explaining how the entity meets the definition of “a trade association” as defined in the <i>Guidelines and Approval Process for Exemption from Certification for Postsecondary Schools Otherwise Subject to Regulation</i> under item III;</li> <li>• A statement explaining how the course or program is related to the business or trade represented by the organization;</li> <li>• A notarized affidavit from the training provider stating no students other than members of the association will be solicited or enrolled.</li> </ul>
<input type="checkbox"/>	<p>Tutorial instruction delivered and designed to supplement regular classes for students enrolled in any public or private secondary school or prepare an individual for an examination for professional practice or higher education.</p> <p><b>PROOF:</b> To establish exemption under this section, the following evidence shall be submitted with your application:</p> <ul style="list-style-type: none"> <li>• Name of exam(s) for which students will receive tutorial instruction;</li> <li>• A statement describing the purpose of the exam (supplemental instruction, entry into professional practice, or entry into college or graduate school)</li> </ul>
<input type="checkbox"/>	<p>Any course or program of study conducted on a not-for-profit basis by firms or organizations for the training of their own employees only, provided such instruction is offered at no charge to such employees and with no advertising for open enrollment.</p> <p><b>PROOF:</b> To establish exemption under this section, the following evidence shall be submitted with your application:</p> <ul style="list-style-type: none"> <li>• Program Name;</li> <li>• A notarized affidavit from the organization stating: <ul style="list-style-type: none"> <li>○ No students other than employees will be solicited or enrolled;</li> <li>○ The employer will bear all the tuition costs; and</li> <li>○ The employee will not be required to reimburse the employer by means of cash, production of work without pay, or any other means.</li> </ul> </li> <li>• Include samples of advertising that will be used by the employer within the business/organization to recruit participants. If there will be no advertising, please state so.</li> </ul>
<input type="checkbox"/>	<p>Schools of fine arts or other avocational courses that are conducted solely to further artistic appreciation, talent, or for personal development or information and programs that prepare individuals to teach such pursuits.</p> <p><b>PROOF:</b> To establish exemption under this section, the following evidence shall be submitted with your application:</p> <ul style="list-style-type: none"> <li>• Course name, content, length, and cost;</li> <li>• Objectives of the course(s) and explanation of how the subject(s) are generally considered avocational or for recreational purposes ;</li> </ul>

	<ul style="list-style-type: none"> <li>• Types of students (examples: children, homemakers, general public, etc.);</li> <li>• Copies of advertisement including a disclosure stating courses being taught are for avocational purposes only.</li> </ul>
<input type="checkbox"/>	Any school whose primary purpose is to provide religious training or theological education. (Please refer to the Religious Exemption Application section of the SCHEV website and complete those forms. Please do <b>NOT</b> complete this form)

### III. Are you currently authorized to transact business in the Commonwealth of Virginia?

<input type="checkbox"/>	Yes			<input type="checkbox"/>	No
If yes, please provide a copy of the Commonwealth of Virginia: Certificate of Assumed or Fictitious Name form (cc-1050) previously filed with the entity's local Clerk of Court.					

### IV. Processing

Upon receipt of a complete application, SCHEV will process the Application for Certification Exemption within 30 days. An official approval letter will be mailed to the Virginia Contact Address. Incomplete applications will be returned. **All fees are nonrefundable.**

Mail this Application for Certification Exemption form, additional documentation and a company check, money order or certified bank check in the amount of \$300, payable to the **Treasurer of Virginia**, to:

State Council of Higher Education for Virginia  
**ATTN:** Private Postsecondary Education  
 James Monroe Building, 9<sup>th</sup> Floor  
 101 North Fourteenth Street  
 Richmond, VA 23219-3659  
 Tel: 804-225-2600

### V. Statement of Compliance

Under penalty of perjury, I declare the statements made on this application form, including any attached sheets, are true, complete, and accurate. I understand there are penalties for operating a school without a certificate to Operate in the Commonwealth of Virginia.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_