



## Application for Certification Exemption

Pursuant to 8 VAC 40-31-120 (B) requires that all postsecondary school must become certified to operate prior to engaging in activities related to postsecondary education via telecommunications activity, mail correspondence courses, or at a location within the Commonwealth. Furthermore, all persons, training programs, degrees, diplomas, certificates or organizations offering training that leads to or enhances occupational qualifications must be certified to operate by the State Council of Higher Education for Virginia (SCHEV). Any violation of the provisions of § 23.1-228 of the Code of Virginia 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. In accordance to § 23.1-217 et. sq. of the Code of Virginia requires that the State Council of Higher Education for Virginia (SCHEV) certify most persons or organizations offering training that leads to or enhances occupational qualifications.**

**In order for a school to be granted an exemption, it must be shown that the school clearly and completely meets the provisions of one (1) or more of the specific exemptions.**

**Please check all boxes below that are applicable to your training and provide the necessary documentation as evidence of your exemption. Attach additional sheets if need.**

	<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 shall be submitted with your application:</p> <ul style="list-style-type: none"> <li>• Name of school;</li> <li>• Names of programs;</li> <li>• A current copy of certificate, license, letter or other document showing approval of the school under another</li> </ul>
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<input type="checkbox"/>	<p>another regulatory board pursuant to Title 54 of the Code of Virginia; <b>or</b></p> <ul style="list-style-type: none"> <li>• A current copy of certificate, license, letter or other document showing approval of the school under another state of federal agency; <b>and</b></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 shall be submitted with your application:</p> <ul style="list-style-type: none"> <li>• Name of program;</li> <li>• A current copy of certificate of membership from the professional body granting permission to teach continuing or professional education</li> <li>• A notarized affidavit from the organization stating that no students other than members of the organization will be solicited or enrolled;</li> <li>• A notarized affidavit from the training facility stating that such training is principally for continuing and professional education; and no certificate, degree, or degree credit will be awarded.</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 that 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>• Name of program;</li> <li>• A notarized affidavit from the organization stating that no students other than employees will be solicited or enrolled. Further, stating that the employer will bear all the tuition costs and the employee will not be required to reimburse the employer by means of cash, production of work without pay, or any other means; <b>and</b></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, just state so.</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>• Name of program;</li> <li>• A current copy of your approval from SREB.</li> </ul>
<input type="checkbox"/>	<p>Those courses offered and delivered by a postsecondary school that is accredited by an entity recognized by the U.S. Department of Education (USDOE) for accrediting purposes, if such courses are provided solely on a contractual basis for which no individual is charged tuition and for which no advertising has been made 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>• Name of program;</li> <li>• A current copy of certificate, license, letter or other document showing approval of the school by an accrediting agency recognized by the U.S. Department of Education;</li> <li>• A notarized affidavit from the organization stating that courses are provided on a contractual basis and no tuition is collected from individual students (Note: contractual does <u>NOT</u> mean that the student pays the tuition and is reimbursed by the company); <b>and</b></li> <li>• A notarized statement stating that 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 related 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>• Name of program;</li> <li>• A current copy of certificate, license, letter or other document showing approval of the school by the trade association or any nonprofit affiliate of a trade association;</li> <li>• A notarized affidavit from the training provider stating that no students other than members of the association will be solicited or enrolled.</li> </ul>
	<p>Tutorial instruction delivered and designed to supplement regular classes for students enrolled in any public or private school or to prepare an individual for an examination for professional practice or higher education. {Example: GMAT, GRE, LSAT, CPA courses.}</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 course.</li> </ul>

<input type="checkbox"/>	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. <b>PROOF:</b> To establish exemption under this section, the following evidence shall be submitted with your application: <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> <li>• Types of students (examples: children, homemakers, general public, and tec.);</li> <li>• Copies of advertisement including a disclosure stating that 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. You need <b>NOT</b> complete this form)

**III. Are you currently authorized by Virginia State Corporation Commission (SCC) to transact business in the Commonwealth of Virginia?**

<input type="checkbox"/>	Yes			<input type="checkbox"/>	No
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**IV. Processing**

Upon receipt of a complete application, SCHEV will process your application within 45 days. An official approval letter will be mailed to the Virginia contact person. Incomplete applications will be returned.

Mail this application form to:  
State Council of Higher Education for Virginia  
**ATTN:** Private and Out-of-State Postsecondary Education  
101 N. 14<sup>th</sup> Street, 9<sup>th</sup> Floor  
James Monroe Building  
Richmond, VA 23219  
Tel: 804-225-2600

**V. Statement of Compliance**

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

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