



Certification Exemption Eligibility Requirements

Do I qualify for an 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). There are specific exemptions listed below.

To be granted an exemption, the school must meet the provisions of one (1) or more of the specific exemptions. The following criteria shall be used to determine whether training is exempt from certification under 8VAC 40-31-60.

1.	A professional or occupational training program subject to the approval of (i) a regulatory board pursuant to Title 54.1 or (ii) other state or federal governmental agency so long as the school is not seeking degree-granting status.
2.	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.
3.	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.
4.	Courses or programs offered through approved multistate compacts, including but not limited to the Southern Regional Education Board's Electronic Campus.
5.	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.
6.	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.
7.	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.
8.	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.
9.	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).
	If you believe your school/training program meets the provisions of one (1) or more of the above exemptions, please complete and submit the Application for Certification Exemption form.