

**Policy of the Board of Governors of the University of North Carolina with
Respect to Exemption from Licensure under
N.C. Gen. Stat. § 116-15 of Religious Education**

- I. Purpose. The purpose of this policy is to implement N.C. Gen. Stat. § 116-15(d) (hereinafter G.S.).
- II. Delegation. It shall be the responsibility of the president to apply the provisions of G.S. 116-15 and relevant policies and procedures of the Board of Governors, including these policies, to any application for exemption pursuant to G.S. 116-15(d) from licensure to undertake postsecondary degree activity with reference to religious education and in each case to determine the propriety of such exemption, and to assess reasonable fees for evaluating initial applications and conducting subsequent reviews regarding such exemption.
- III. Definitions
 - A. The definitions set forth in G.S. 116-15(a2) are hereby incorporated by reference into these policies.
 - B. “Program of study” means each academic program offered by an institution and includes without limitation all majors, minors, concentrations, and degrees.
- IV. Standards for Exemption. Exemption from licensure with respect to religious education under G.S. 116-15(d) shall rest upon one of the following:
 - A. That the subject education constitutes postsecondary 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
 - B. That the subject education constitutes a program of study, equivalent experience, or achievement testing, other than that identified in paragraph A., above, that is designed by the offering institution primarily for career preparation in a religious vocation.
- V. Extent of exemption. An institution shall be conferred exemption from licensure only with respect to each program of study, equivalent experience, or achievement test that the institution demonstrates to the satisfaction of the president comes within one of the standards for exemption set forth in section IV., above.
- VI. Determination of Eligibility for Exemption. The president shall determine whether to confer exemption with respect to religious education as provided in G.S. 116-15 only upon the president’s receipt from staff of a recommendation concerning exemption based upon the following:
 - A. Staff summary of a site visit to the petitioning institution (if appropriate).
 - B. Documents and information relevant to the qualifying nature of the petitioning institution and the subject curriculum, which shall include:

1. If the institution is a business entity, the articles of incorporation or articles of organization of the institution, including all current amendments thereto.
2. The title of each degree program for which exemption is sought.
3. The educational credential proposed to be given by the institution upon satisfactory completion of each program of study, equivalent experience, or achievement test for which exemption is sought.
4. The catalog statement and any other institutional statement (such as curriculum outline) for each program of study, equivalent experience, or achievement test for which exemption is sought.
5. Those other documents that the president may determine are necessary to establish that the institution conforms to the standards for exemption set out in section IV., above.

C. Assurances from the petitioning institution that it has conformed, or will conform, institutional literature and educational credentials to the conditions of licensure exemption pursuant to these policies, which shall include:

1. Designating any degree program of study or academic credential for which exemption from licensure is to pertain by a title that clearly indicates its religious nature so that the institutional objective of the program for its use in attainment of a degree in theology, divinity, or religious education, or its institutional design primarily for career preparation in a religious vocation is apparent.
2. Prominently displaying in relevant institutional publications a statement that the relevant degree program of study has been declared by the appropriate state authority exempt from the requirements for licensure, under provisions of G.S. 116-15(d), for exemption from licensure with respect to religious education.
3. Prominently displaying in relevant institutional publications a statement that Exemption from licensure is not based upon assessment of program quality under established licensing standards.

VII. Duration of Exemption. At least annually, staff shall make inquiry of institutions conferred exemption with respect to religious education to ascertain the continuation of those bases upon which there was conferred exemption from licensure. An exemption shall continue unless suspended or revoked by the president following the president's consideration of a corresponding recommendation from staff. An exemption shall also end when the institution ceases to have students enrolled in the exempt program, except that in such case staff may continue the exemption for a reasonable period for good cause shown.

VIII. Pursuit of Licensure. An institution shall seek licensure to conduct postsecondary activity with respect to any program of study, equivalent experience, or achievement test for which exemption from licensure has been denied for failure of the institution to satisfy these policies but which postsecondary the institution intends to offer.

IX. Violation of Conditions. If the president determines that an institution (1) has failed to seek and obtain licensure or exemption from licensure, as required by these policies; or (2) has failed to fulfill any obligation attendant to exemption from licensure under these policies, the president may suspend or revoke the exemption and shall request that the Attorney General of North Carolina take appropriate action against the offending institution.

X. Other Matters

A. Effective Date. The requirements of this policy shall be effective on the date of adoption of this policy by the Board of Governors.

B. Relation to Federal and State Laws. The foregoing policy as adopted by the Board of Governors is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern or relate to the subject matter of this policy.

C. Regulations and Guidelines. This policy shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.