

**APPLICATION FOR**

**CONDITIONAL EXEMPTION OR EXCLUSION**

Pursuant to D.C. Official Code § 38-1310 some types of educational institutions or activities are excluded or exempt from licensure and may be eligible for a conditional exemption. Institutions that wish to be considered for this status must submit for approval the following **Request for Conditional Exemption or Exclusion** to the Higher Education Licensure Commission. One (1) hard copy of the request should be submitted along with two (2) travel drives each containing the electronic version. The flash drives should be labeled with the institution’s name. If the institution is seeking exclusion status no payment is required. If the institution is seeking approval of a conditional exemption, you may remit payment via credit card [here](https://helc.osse.dc.gov/vPage/ApplicationPaymentIndex/2406/91317) or include a check or money order made payable to the **DC Treasurer.** The application fee is one thousand and five hundred dollars ($1,500). The application may be mailed/delivered to: Higher Education Licensure Commission, 1050 First St. NE, Fifth Floor, Washington, DC 20002. Applications submitted without payment are considered incomplete.

The review process takes up to 90 days depending on the timeframe the request is submitted as well as the completeness of the submission. Institutions with a physical location in the District of Columbia will be required to complete a site visit. Requests are acted on (approved/denied) during the public meeting of the Commission.

If the institution’s request is **approved**, the institution is required to submit the following information annually to maintain its exempt status:

* Completed DC HELC Annual Data Survey (format will be provided)
* A current audited financial statement from a certified public accountant
* A certified statement as to the entity’s accreditation status and all reports and status notices
* A current copy of the course catalog (or link and access codes)
* A description of any relevant and significant changes from the last approval
* Evidence that student records comply with District’s requirements
* A copy of the emergency operations plan for location/activity occurring in the District
* A satisfactory site visit (only if the institution has a physical location in Washington DC)
* Fees - $1500 (check payable to the DC Treasurer or [web payment](https://helc.osse.dc.gov/vPage/ApplicationPaymentIndex/2406/91317))

If the institution does not meet the qualifications as itemized in section C of this application, or if the conditional exemption request is **denied**, the institution must attend the New Applicant Workshop and subsequently submit and receive approval of the **Application for Provisional Licensure** prior to operating in the District. The New Applicant Workshop Registration Form and application for Provisional License are available online at <https://helc.osse.dc.gov> .



**Application for Conditional Exemption or Exclusion**

**Name of Institution:** Click here to enter text.

|  |  |
| --- | --- |
| Main Campus Contact: Name and title: Click here to enter text.E-mail:Click here to enter text.Phone:Click here to enter text. Address: Click here to enter text.City:Click here to enter text. State:Click here to enter text.  Zip code:Click here to enter text. | Principal DC Contact: Name and title: Click here to enter text.E-mail:Click here to enter text.Phone:Click here to enter text. Address: Click here to enter text.City:Click here to enter text. State:Click here to enter text.  Zip code:Click here to enter text. |

Website: Click here to enter text.

Federal Tax Identification Number: Click here to enter text.

OPEID Number: Click here to enter text.

Financial Composite Score: Click here to enter text.

**Brief Description of the institution**

Click here to enter text.

**List of Addresses that the institution rents/leases/owns in the District of Columbia**: [ ]  NONE

|  |  |  |
| --- | --- | --- |
| Name of Location | Street Address | Zip Code |
|  |  |  |
|  |  |  |

**Business Status*:*** *(Check all that apply. Attach a current copy of all business credentials, i.e.**copies of Articles of Incorporation, Business licenses and Certificate of Good Standing)*

[ ]  For-Profit [ ]  Incorporated For-Profit [ ]  Proprietorship

[ ]  Non-Profit [ ]  Limited Liability Corporation (LLC) [ ]  Partnership

**Type of Entity:** *(check all that apply)* If accredited, attach copy of current accreditation documentation.

 [ ]  Degree Granting Accredited? Yes [ ]  No [ ]

 [ ]  Non-Degree Granting Accredited? Yes [ ]  No [ ]

 [ ]  Other (Explain)

Click here to enter text.

**Qualification for Exemption.** Place acheck next to the activity for which you are requesting an exemption in accordance with D.C. Official Code §38-1310**. Must include payment of $1500.**

[ ]  **Education provided by a Congressionally chartered degree-granting institution**— Education provided by a degree-granting institution that can show it has been authorized by the Congress of the United States to grant degrees; and it is accredited by a regional accrediting association recognized by the United States Department of Education. See D.C. Official Code § 38-1310(b).

[ ]  **Education provided as a local offering of a foreign\* institution**—An educational institution located outside of the District of Columbia that provides course(s) of instruction offered only to students enrolled in the institution’s home campus and the local instruction does not fulfill more than twenty-five percent (25%) of the normal degree requirements. See D.C. Official Code § 38-1310(f). *\*Foreign refers to entities that were formed or are governed as to its internal affairs by the law of a jurisdiction other than the District of Columbia but wish to conduct business in the District.*

**Qualification for Exclusion.** Place acheck next to the activity for which you are requesting an exclusion in accordance with D.C. Official Code §38-1310**. Do not include payment of $1500. If the Commission determines that you are not eligible for this exclusion you may be required to attend the New Applicant Workshop and subsequently submit an Application for Provisional Licensure.**

[ ]  **Education provided by employer for employees**— Courses of instruction not purporting to lead to a degree conducted by any person solely for the training of the employees of the person, and for which no fee is charged. See D.C. Official Code § 38-1310(a)(1).

Name of the Company: Click here to enter text.(attach copy of contract)

[ ]  **Education provided by Federal or District government**—Education offered by the District or federal government or any instrumentality of the governments. See D.C. Official Code § 38-1310(a)(2).

[ ]  **Avocational or Recreational education**—Education solely avocational (hobby) or recreational in nature and not leading to a degree and institutions offering the education exclusively, as determined by the Commission. See D.C. Official Code § 38-1310(a)(3).

[ ]  **Education provided by a non-profit at no cost and no credit toward a degree**—Education offered by an eleemosynary or nonprofit institution, organization or agency, if no fee is charged, for the education and no credit toward a degree or any degree, diploma, or certificate is awarded. See D.C. Official Code § 38-1310(a)(4).

[ ]  **Education provided by professional association for association members**—Courses or programs of instruction given by or approved by a professional body, fraternal organization, civic club, or benevolent order principally for the professional education of its own members or advancement or similar purpose and for which no degree or degree credit is awarded and for which there is no public advertising. See D.C. Official Code § 38-1310(a)(5).

[ ]  **Education provided outside of the District of Columbia**—An educational institution that is organized or chartered outside of the District of Columbia and does not operate (offer any type of education) in the District of Columbia, except that any agent of an institution who operates in the District shall not be exempt, and the Commission may apply the standards to the institution in determining whether to license an agent. See D.C. Official Code § 38-1310(a)(6).

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**Type of Credential to be offered:** *(check all that apply)* [ ]  None

[ ]  Training Completion Document [ ]  Certificate [ ]  Associates Degree

[ ]  Bachelor’s Degree [ ]  Master’s Degree [ ]  Doctorate

**Provide a detailed description of program and offerings planned for the District of Columbia:**

Rationale for program offerings in the District of Columbia:

Click here to enter text.

Description of courses/internships/clinical experience:

Click here to enter text.

|  |  |  |
| --- | --- | --- |
| Program Name | Credits Required for Degree Completion | Maximum Number of Credit Hours that can be earned in DC |
|  |  |  |
|  |  |  |

Learning sites *(location/selection process/evaluation process*):

Click here to enter text.

Listing of instructors for DC programs:

|  |  |
| --- | --- |
| Instructors Name | Course(s) to be Taught |
|  |  |
|  |  |

Describe the target audience, process for students to participate in DC programs and supervision while in DC:

Click here to enter text.

Living arrangements for students:

Click here to enter text.

Describe how student records are maintained:

 Click here to enter text.

When was the school catalog last updated? Click here to enter text.

How often is the school catalog updated? Click here to enter text.

**Indicate maximum number of students to be accommodated:** *(List each program separately.)*

|  |  |  |
| --- | --- | --- |
| Program Name | Students Per Program | Students Per Year |
|  |  |  |
|  |  |  |

**Will your entity offer its services to the general public?** [ ]  Yes [ ] No (explain)

Click here to enter text.

**If the applicant entity is a branch or satellite** **of an existing entity, is the existing entity accredited?**

[ ]  Not Applicable

[ ]  No

[ ]  Yes (Attach a copy of accreditation letter with expiration date.)

[ ]  Pending (Provide name of the accrediting organization and summary of the current status of the application.)

Name of accreditor and summary:Click here to enter text.

**Does your entity have a valid** **educational license or exemption in other states**?

[ ]  No

[ ]  Yes (List all valid licenses with the expiration date or exemption and basis for the exemption.)

|  |  |  |
| --- | --- | --- |
| License/Exemption Issued By | Expiration | Basis (if an exemption) |
|  |  |  |
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**Have any of the individuals who are owners, partners or board members of this entity ever operated, been denied operation, been sanctioned or had an educational entity closed in Washington, D.C. or other states?**

[ ]  No

[ ]  Yes (Provide details about circumstances and the official reason for the closure, denial, or sanction indicating the name of the entity at the time.)

Click here to enter text.

**Has any disciplinary action ever been taken against the entity in Washington, D.C. or other states**?

[ ]  No

[ ]  Yes

Explain. Click here to enter text.

**Has any disciplinary action (closed actions included) ever been taken against the professional license of anyone associated with the application (instructors, owners, partners, board members)?**

[ ]  No

[ ]  Yes

Explain. Click here to enter text.

**Has the entity ever existed under another name?** [ ] No[ ]  Yes

Previous Name? Click here to enter text.

Range of years? Click here to enter text.

Where? Click here to enter text.

Explain. Click here to enter text.

**Does the entity currently have insurance for accidental injury to students and staff during attendance?**

[ ]  Yes (attach a copy of the Certificate of Insurance)

[ ]  No, Explain.

 Click here to enter text.

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**Attach Additional Supporting Documentation:**

[ ]  Copy of current catalog (only include portions pertaining to DC offering)

[ ]  Copy of current advertisement(s) (within the last year)

[ ]  Copy of current audited financial statement

[ ]  Completed copy of Certificate of Non-Discrimination (Form Attached)

[ ]  Copy of the institution’s Emergency Operations Plan for the location/activity occurring in the District.

[ ]  For each location:

[ ]  Current Certificate of Occupancy for the facility(ies) at which instruction will be provided (may be

 obtained from the D.C. Department of Consumer & Regulatory Affairs, [www.dcra.dc.gov](http://www.dcra.dc.gov));

[ ]  Current Home Occupation Permit if the facility where instruction will be provided is a residential facility

 (may be obtained from the D.C. Department of Consumer & Regulatory Affairs, [www.dcra.dc.gov](http://www.dcra.dc.gov));

[ ]  Current deed, lease, sub-lease agreement, or other written permission of the owner to use the

 designated space for the instructional purposes in the institution’s application for licensure (document

 must include a reference to the institution’s proposed name);

[ ]  Plan, blueprint, diagram or photos demonstrating the square footage and arrangement of classrooms and

 offices and other space in the structure and the number of individuals that each area can accommodate;

[ ]  Evidence that the facility(ies) and equipment is comparable to that found in business establishments

 offering employment in the occupation for which the instruction is being offered;

[ ]  Evidence that equipment is in good working order and is routinely inspected or certified in accordance

 with generally accepted standards of practice;

[ ]  Copy of the institution’s statement describing how the facility(ies) comply with the Americans with

 Disabilities Act requirements, or if the facility(ies) are not compliant, a copy of the institution’s plan to

 come into ADA compliance, which shall describe the reasons for non-compliance; and

**Documents required for applicant institutions that offer residential facilities:**

[ ]  Evidence that residential facilities offered to students are safe, sanitary, and accessible.

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**Certification** (must be signed by the Chief Administrator of the entity)

*“I hereby affirm that the answers given in this application are true and accurate and complete. I understand that false information on this application may result in revocation and penalties. Further, I am authorized to sign this application on behalf of the entity named herein. I have read and agree to comply with the District of Columbia’s laws and regulations governing corporations and educational entities regulated by the Higher Education Licensure Commission.”*

Click here to enter text.

Type name and title Signature Date



**CERTIFICATE OF NON-DISCRIMINATION**

I, (type full name) Click here to enter text., as the chief school officer of (type institution name) Click here to enter text., hereby certify that the institution named herein:

* Understands that it is an unlawful discriminatory practice in the District of Columbia, subject to exemptions[[1]](#footnote-1), for any educational institution:
1. To deny, restrict, or to abridge or condition the use of, or access to, any of its facilities, services, programs, or benefits of any program or activity to any person otherwise qualified, wholly or partially, for a discriminatory reason, based upon the actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, political affiliation, source of income, or disability of any individual; or
2. To make or use a written or oral inquiry, or form of application for admission, that elicits or attempts to elicit information, or to make or keep a record, concerning the race, color, religion, or national origin of an applicant for admission, except as permitted by regulations of the District of Columbia Office of Human Rights.
* Understands that D.C. Human Rights laws and regulations require every educational institution to post and keep posted in a conspicuous location where business or activity is customarily conducted or negotiated, a notice whose language and form has been prepared by the Office of Human Rights[[2]](#footnote-2), setting forth excerpts from or summaries of, the pertinent provisions of the law and information pertinent to the filing of a complaint.
* Understands that D.C. Human Rights laws and regulations require, in addition to the student record retention regulations of the Commission, that an educational institution preserve any regularly kept business records of persons who seek admission but do not ultimately become students of the institution, for a period of six (6) months from the date of the making of the record, or from the date of the action which is the subject of the record, whichever is longer; and that such records shall include, but not be limited to, application forms submitted by applicants, credit reports, and any other record pertaining to the status of an individual’s enjoyment of the rights and privileges protected or granted by the D.C. Human Rights law.
* Complies now, and in the future will comply, with the non-discrimination requirements of the D.C. Human Rights laws and regulations.

*I solemnly swear or affirm that I have read this Certificate of Non-Discrimination and that the factual statements and assurances made herein are true to the best of my personal knowledge, information and belief under criminal penalties for the making of a false statement pursuant to D.C. Official Code § 22-2405, which includes 180 days in jail, a $1,000 fine or both.*

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Signature of Chief School Officer Date

1. Exemptions are found in D.C. Official Code §§ 2-1401.03(b); 2-1402.41(3); 2-1402.42. [↑](#footnote-ref-1)
2. Equality in Education poster can be found at the Office of Human Rights website at <http://ohr.dc.gov/publication/equality-education-poster>. [↑](#footnote-ref-2)