**Section 1095.20 Institutions Required to Receive Approval**

*No person or groups of persons subject to* the *Act* and this Part *may establish and operate or be permitted to become incorporated for the purpose of operating a private business and vocational school without obtaining from the Board a permit of approval, provided that a permit of approval is not required for a program that is devoted entirely to religion or theology or a program offered by an institution operating under the authority of the Private College Act* [110 ILCS 1005]*, the Academic Degree Act* [110 ILCS 1010]*, or the Board of Higher Education Act* [110 ILCS 205] (Section 20 of the Act)*.*

a)"Private business and vocational school" or "school" means:

1) *An educational institution privately owned or operated by a person, partnership, corporation, or other entity offering courses of instruction for which tuition is charged, whether such courses of instruction are offered on site, through correspondence, by distance education, or by other methods, to prepare individuals to do any of the following:*

A) *To follow a trade or artistic occupation.*

B) *To pursue a manual, mechanical, technical, industrial, business, commercial, office, personal service (other than nursing), or other non-professional occupation.*

C) *To follow a profession, if the profession is not subject to licensing or registration under any existing State statute requiring the licensing or registration of persons practicing such profession or if the school is not subject to the regulation of the agency with such licensing or registration authority.*

D) *To improve, enhance, or add to the skills and abilities of the individual relative to occupational responsibilities or career opportunities*. (Section 15 of the Act)

2) A school that has not provided instruction in any approval year and desires to resume operations in Illinois. The school shall file a permit of approval application and pay the permit of approval application fee.

3) A new or additional non-degree program of study. The new or additional non-degree program must be approved by the Board as well.

b) It does not mean an entity that receives a letter of exemption from the Board, and re-certifies the exemption annually. The following are eligible for an exemption:

1) *Any institution devoted entirely to the teaching of religion or theology* (Section 30 of the Act)*.*

2) *Any in-service program of study and subject offered by an employer, provided that no tuition is charged and the instruction is offered only to employees of the employer* (Section 30 of the Act)*.*

3) *Any educational institution that:*

A) *Enrolls a majority of its students in degree programs and has maintained an accredited status with a regional accrediting agency that is recognized by the U.S. Department of Education; or*

B) *Enrolls students in one or more bachelor-level programs, enrolls a majority of its students in degree programs, and is accredited by a national or regional accrediting agency that is recognized by the U.S. Department of Education or that:*

i) *Is regulated by the Board under the Private College Act or the Academic Degree Act or is exempt from such regulation under either the Private College Act or the Academic Degree Act solely for the reason that the educational institution was in operation on the effective date of either the Private College Act or the Academic Degree Act; or*

ii) *Is regulated by the State Board of Education*.(Section 30 of the Act)

4) *Any institution and the franchisees of that institution that exclusively offer a program of study in income tax theory or return preparation at a total contract price of no more than $400, provided that the total annual enrollment of the institution for all such courses of instruction exceeds 500 students and further provided that the total contract price for all instruction offered to a student in any one calendar year does not exceed $3,000*. (Section 30 of the Act)

5) *Any person or organization selling mediated instruction products through a media, such as tapes, compact discs, digital video discs, or similar media, so long as the instruction is not intended to result in the acquisition of training* as a credential *for a specific employment field, is not intended to meet a qualification for licensure or certification in an employment field, or is not intended to provide credit that can be applied toward a certificate or degree program*.(Section 30 of the Act)

6)Any person, group of persons, partnership or corporation that is located outside of the State of Illinois that is or contemplates offering instruction in Illinois above the high school level is not required to obtain a permit of approval if the institution has no physical presence or a limited physical presence in the State. *In determining whether an institution has a physical presence, the Board shall require all of the following:*

A) *Evidence of authorization to operate in at least one other state and that the school is in good standing with that state's authorizing agency* (Section 30 of the Act);

B)Evidence of accreditation by a body recognized by the U.S. Department of Education and/or the Council for Higher Education Accreditation;

C) *Evidence that the school has a means of receiving and addressing student complaints in compliance with any federal or state requirements* (Section 30 of the Act);

D) *Evidence that the institution is providing no instruction in this State* (Section 30 of the Act);

E) *Evidence that the institution is not providing core academic support services, including, but not limited to, admissions, evaluation, assessment, registration, financial aid, academic scheduling, and faculty hiring and support in this State* (Section 30 of the Act); and

F) Evidence that the institution does not maintain a physical facility in Illinois.

7) An approved school that wants to add a course to an approved program of study when the addition has a direct relationship to the existing program and does not result in a significant change in curriculum, objectives or resources for the program.