

SENATE FILE NO. SF0025

Private school licensing-amendments.

Sponsored by: Senator(s) Coe and Representative(s)
Wasserburger

A BILL

for

1 AN ACT relating to private school licensing; clarifying
2 exemptions from licensing requirements for religious
3 schools as specified; imposing additional requirements upon
4 certain post secondary religious schools for receiving and
5 maintaining exemption status; and providing for an
6 effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 21-2-406 and 21-4-101(a)(iv) are
11 amended to read:

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13 **21-2-406. Schools exempted; additional requirements**
14 **for specified post secondary religious schools.**

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16 (a) This article does not apply to:

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(i) Any parochial, church or religious school as defined by W.S. 21-4-101(a)(iv), or institution owned, controlled, operated or maintained by a bona fide church, religious denomination or religious organization comprised of multidenominational members of the same recognized religion, lawfully operating the school or institution pursuant to applicable laws governing its organization, and the school or institution:

(A) Offers elementary and secondary education programs only; or

(B) Operates only as a post secondary education degree granting institution if post secondary education programs are limited to instruction in the principles of that church, religious denomination or religious organization and the diploma or degree is limited to evidence of completion of these post secondary education programs, subject to the following:

(I) A disclosure is made by the institution on all documents submitted to potential and enrolled students and on all institutional marketing

1 materials which clearly states the institution claims an
2 exemption under this article, that the institution is not
3 accredited by an accreditation association recognized by
4 the United States department of education and is not
5 licensed as a private school by this state;

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7 (II) Diplomas or degrees issued by the
8 institution are restricted to the beliefs and practices of
9 the affiliated church, religious denomination or religious
10 organization and include a statement on the face of the
11 diploma or degree referencing the theological or religious
12 nature of the subject area for which the diploma or degree
13 is awarded, clearly reflecting the nature of the degree
14 title as "Associate of Religious Studies", "Bachelor of
15 Religious Studies", "Master of Divinity" or "Doctor of
16 Divinity"; and

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18 (III) Evidence of nonprofit religious
19 organization status for purposes of federal taxation and
20 organization under the laws of this state is annually filed
21 by the institution with the state department.

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23 (ii) A home-based educational program as defined
24 by W.S. 21-4-101(a)(v) [i7](#)

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2 (iii) Aircraft flight training schools approved
3 and authorized by the federal aviation agency of the United
4 States of America;7 or

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6 (iv) A nondegree granting school teaching
7 techniques of outdoor recreation, leadership, ecology or
8 conservation domiciled in the state of Wyoming.

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10 (b) Any post secondary education degree granting
11 institution not accredited by an accreditation association
12 recognized by the United States department of education and
13 which is not exempt under subparagraph (a)(i)(B) of this
14 section shall as required by W.S. 21-2-401(a), obtain a
15 license under this article prior to operating or doing
16 business in this state. The institution may conduct
17 organizational activities and start up preparations before
18 obtaining the license required under W.S. 21-2-401(a), but
19 shall not accept any tuition, application fees or any
20 similar monies from any prospective student before
21 obtaining the license.

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23 **21-4-101. Definitions.**

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1 (a) For the purposes of this article:

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3 (iv) "Parochial, church or religious school" is
4 one operated under the auspices or control of a local
5 church or religious congregation or a denomination
6 established to promote and promulgate the commonly held
7 religious doctrines of the group though it may also include
8 basic academic subjects in its curriculum. Nothing
9 contained in W.S. 21-4-102 (b), ~~21-2-401 or 21-2-406~~ grants
10 to the state of Wyoming or any of its officers, agencies or
11 subdivisions any right or authority to control, manage,
12 supervise or make any suggestions as to the control,
13 management or supervision of any parochial, church or
14 religious school;

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16 **Section 2.** This act is effective immediately upon
17 completion of all acts necessary for a bill to become law
18 as provided by Article 4, Section 8 of the Wyoming
19 Constitution.

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(END)