

(1) AN INSTITUTION OPERATING UNDER A CHARTER GRANTED BY THE GENERAL ASSEMBLY;

(2) A RELIGIOUS DEGREE-GRANTING INSTITUTION WHICH CERTIFIES, IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE STATE BOARD FOR HIGHER EDUCATION, THAT IT:

(I) IS FOUNDED AND OPERATED BY A CHURCH OR ORGANIZATION OF CHURCHES AS AN INTEGRAL PART OF THE RELIGIOUS MINISTRY OF THAT CHURCH OR ORGANIZATION;

(II) OFFERS SECTARIAN INSTRUCTION ONLY DESIGNED FOR AND AIMED AT PERSONS WHO HOLD OR SEEK TO LEARN PARTICULAR RELIGIOUS FAITHS OR BELIEFS OF CHURCHES OR RELIGIOUS ORGANIZATIONS, AND PROVIDES ONLY EDUCATIONAL PROGRAMS FOR RELIGIOUS VOCATIONS; AND

(III) STATES ON THE DIPLOMA OR DEGREE THE RELIGIOUS NATURE OF THE DEGREE;

(3) A CHURCH OR OTHER RELIGIOUS INSTITUTION OFFERING A POSTSECONDARY INSTRUCTIONAL PROGRAM LEADING TO A DIPLOMA OR CERTIFICATE ONLY IF DESIGNED FOR AND AIMED AT PERSONS WHO HOLD OR SEEK TO LEARN THE PARTICULAR RELIGIOUS FAITH OR BELIEFS OF THAT CHURCH OR RELIGIOUS ORGANIZATION, AND PROVIDING ONLY EDUCATIONAL PROGRAMS FOR RELIGIOUS PURPOSES.

(D) (1) EACH INSTITUTION OF POSTSECONDARY EDUCATION AUTHORIZED TO OPERATE WITHOUT A CERTIFICATE OF APPROVAL UNDER SUBSECTION (C)(2) AND ~~(3)~~ OF THIS SECTION, SHALL SUBMIT, EVERY 2 YEARS, A FINANCIAL STATEMENT COMPILED BY AN INDEPENDENT ACCOUNTANT EMPLOYED BY THE INSTITUTION TO THE STATE BOARD FOR HIGHER EDUCATION.

(2) SUCH INSTITUTIONS OF POSTSECONDARY EDUCATION MAY NOT COMMENCE OR CONTINUE TO OPERATE, DO BUSINESS, OR FUNCTION UNLESS THE STATE BOARD FOR HIGHER EDUCATION DETERMINES ON THE BASIS OF THE FINANCIAL STATEMENT SUBMITTED BY THE INSTITUTION UNDER THIS SECTION THAT THE INSTITUTION POSSESSES ADEQUATE FINANCIAL RESOURCES TO SUPPORT ITS EDUCATIONAL PROGRAM.

(3) (I) THE STATE BOARD FOR HIGHER EDUCATION SHALL ADOPT REGULATIONS ESTABLISHING PROCEDURES AND STANDARDS FOR THE SUBMISSION AND EVALUATION OF THE FINANCIAL STATEMENT SUBMITTED BY SUCH INSTITUTIONS OF POSTSECONDARY EDUCATION UNDER THIS SUBSECTION.

(II) ANY INSTITUTION UNDER SUBSECTION (C)(2) AND (3) DENIED THE RIGHT TO OPERATE HAS THE RIGHT TO JUDICIAL REVIEW AS PROVIDED BY THE ADMINISTRATIVE PROCEDURE ACT.

(E) NOTHING IN THIS SECTION PRECLUDES A RELIGIOUS DEGREE-GRANTING INSTITUTION, OR A CHURCH OR OTHER RELIGIOUS INSTITUTION OFFERING A POSTSECONDARY INSTRUCTIONAL PROGRAM, FROM