

**TOPIC: DEGREE AUTHORIZATION ACT – YESHIVA TORAH
INSTITUTE: RELIGIOUS EXEMPT AUTHORIZATION**

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I. SUMMARY

Yeshiva Torah Institute has requested authorization to operate as a seminary or bible college. Staff has conducted the required review of the institution's application materials and finds that the institution meets the requirements for the Religious Exemption under the Degree Authorization Act.

II. BACKGROUND

The Colorado Commission on Higher Education has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, which authorizes certain types of institutions to offer degrees and/or degree credits. These are: (1) Colorado publicly supported colleges and universities; (2) properly accredited private colleges and universities; (3) postsecondary seminaries and bible colleges; and (4) private occupational schools authorized by the Division of Private Occupational School. Persons or unauthorized organizations that violate the provisions of the statute are subject to legal penalties.

All private colleges and universities, out of state public colleges and universities, and seminaries or bible colleges are required to register with the Colorado Department of Higher Education and to meet criteria found in CCHE Policy Section I Part J, Degree Authorization Act, in order to qualify for authorization to offer degrees within Colorado. Such authorization must be received by the institution prior to offering any program of instruction, academic credits, or degrees; opening a place of business; soliciting students or enrollees; or offering educational support services.

The Commission administers the Degree Authorization Act by determining an institution's eligibility to operate pursuant to statute and CCHE policy. Commission action is required by statute in order for institutional authorization at any level.

In the case of a seminary or bible college, an institution must qualify as a bona fide religious postsecondary educational institution which is exempt from property taxation under the laws of this state. It shall require for admission at least a high school diploma or its equivalent and shall not offer programs or courses that are secular in nature. Additionally, to qualify as a bona fide religious postsecondary educational institution, an organization must meet each of the following criteria:

1. Be a non-profit institution owned, controlled, operated, and maintained by a bona fide church or religious denomination, lawfully operating as a non-profit religious corporation pursuant to Title 7 of the Colorado Revised Statutes.
2. Limit the educational program to the principles of that church or denomination and grant degrees or diplomas only in areas of study that contain on their face a

reference to the theological or religious aspect of the degree's subject area. Institutions operating under this degree authorization shall not award degrees in any area of physical science or medicine; or degrees appropriate only for academic institutions; or degrees associated with specific professional fields or endeavors not clearly and directly related to religious studies or occupations.

3. Not market, offer, or grant degrees or diplomas which are represented as being linked to a church or denomination, but which actually are degrees in secular areas of study.
4. Have obtained exemption from property taxation under state law and shall have provided the Department a copy of the certificate of this exemption.

Yeshiva Torah Institute is proposing to offer the following programs:

- Certificate in Tanakh Judaism (Cert.BJ)
- Diploma in Tanakh Judaism (Dipl.BJ)
- Bachelors – BBT in Tanakh Judaism
- Master of Hebrew Leadership (M.H.L.)
- Doctor of Hebrew Leadership (D.H.L.)
 - The Masters and Doctoral program will be offered only if the applicant's academic background meets the prerequisite criteria

II. STAFF ANALYSIS

A representative from Yeshiva Torah Institute met with staff at the Department of Higher Education as required by the Degree Authorization Act policy and formally applied for authorization to operate as a seminary or bible college. Staff finds the application materials consistent with the Religious Exemption of the Degree Authorization Act. Copies of all relevant application materials are on file in the Academic Affairs Office.

IV. STAFF RECOMMENDATION

Staff recommends that the Commission approve authorization for Yeshiva Torah Institute as religious exempt institution.

STATUTORY AUTHORITY

23-2-103.3 (4) C.R.S.