



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2846

Introduced 1/30/2014, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

110 ILCS 1005/1.5 new
110 ILCS 1010/11

from Ch. 144, par. 241

Amends the Private College Act and the Academic Degree Act. Provides that a nonprofit institution owned, controlled, and operated and maintained by a bona fide church, religious denomination, or religious organization comprised of multi-denominational members of the same well-recognized religion, lawfully operating as a nonprofit religious corporation pursuant to the Religious Corporation Act, is exempt from the Acts if (i) the education is limited to instruction in the principles of that church, religious denomination, or religious organization or to courses offered for the purpose of training the adherents of that church, religious denomination, or religious organization in the care of the sick in accordance with its religious tenets and (ii) the diploma or degree is limited to evidence of completion of that education and the meritorious recognition upon which any honorary degree is conferred is limited to the principles of that church, religious denomination, or religious organization. Sets forth requirements and prohibitions concerning the awarding of degrees and diplomas by such an institution. Requires the institution to annually file with the Board of Higher Education evidence to demonstrate its status as a nonprofit religious corporation under the Religious Corporation Act. Effective July 1, 2014.

LRB098 14548 NHT 49320 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Private College Act is amended by adding
5 Section 1.5 as follows:

6 (110 ILCS 1005/1.5 new)

7 Sec. 1.5. Exemption from Act; nonprofit religious
8 institution.

9 (a) A nonprofit institution owned, controlled, and
10 operated and maintained by a bona fide church, religious
11 denomination, or religious organization comprised of
12 multi-denominational members of the same well-recognized
13 religion, lawfully operating as a nonprofit religious
14 corporation pursuant to the Religious Corporation Act, is
15 exempt from this Act if (i) the education is limited to
16 instruction in the principles of that church, religious
17 denomination, or religious organization or to courses offered
18 for the purpose of training the adherents of that church,
19 religious denomination, or religious organization in the care
20 of the sick in accordance with its religious tenets and (ii)
21 the diploma or degree is limited to evidence of completion of
22 that education and the meritorious recognition upon which any
23 honorary degree is conferred is limited to the principles of

1 that church, religious denomination, or religious
2 organization.

3 (b) Institutions exempt under this Section shall offer
4 degrees and diplomas only in the beliefs and practices of the
5 church, religious denomination, or religious organization. The
6 enactment of this amendatory Act of the 98th General Assembly
7 expresses the legislative intent that this State must not
8 involve itself in the content of degree programs awarded by any
9 institution exempt under this Section, as long as the
10 institution awards degrees and diplomas only in the beliefs and
11 practices of the church, religious denomination, or religious
12 organization.

13 (c) Institutions exempt under this Section may not award
14 degrees in any area of physical science. Any degree or diploma
15 granted in any area of study under this Section shall contain
16 on its face, in the written description of the title of the
17 degree being conferred, a reference to the theological or
18 religious aspect of the degree's subject area. Degrees awarded
19 under this Section shall reflect the nature of the degree
20 title, such as "associate of religious studies", "bachelor of
21 religious studies", "master of divinity", or "doctor of
22 divinity". The degree title of "associate of arts", "associate
23 of science", "bachelor of arts", "bachelor of science", "master
24 of arts", "master of science", "doctor of philosophy", or
25 "Ph.D." may be awarded only if the institution obtains a
26 certificate of approval under Section 2 this Act. The enactment

1 of this amendatory Act of the 98th General Assembly is intended
2 to prevent any entity claiming to be a nonprofit institution
3 owned, controlled, and operated and maintained by a bona fide
4 church, religious denomination, or religious organization
5 comprised of multi-denominational members of the same
6 well-recognized religion, lawfully operating as a nonprofit
7 religious corporation pursuant to the Religious Corporation
8 Act, from marketing and granting degrees or diplomas that are
9 represented as being linked to their church, religious
10 denomination, or religious organization, but which, in
11 reality, are degrees in secular areas of study.

12 (d) An institution exempt under this Section shall annually
13 file with the Board evidence to demonstrate its status as a
14 nonprofit religious corporation under the Religious
15 Corporation Act.

16 Section 10. The Academic Degree Act is amended by changing
17 Section 11 as follows:

18 (110 ILCS 1010/11) (from Ch. 144, par. 241)

19 Sec. 11. Exemptions.

20 (a) This Act shall not apply to any school or educational
21 institution regulated or approved under the Nurse Practice Act.

22 (b) This Act shall not apply to any of the following:

23 (1) ~~(a)~~ in-training programs by corporations or other
24 business organizations for the training of their

1 personnel;

2 (2) ~~(b)~~ education or other improvement programs by
3 business, trade and similar organizations and associations
4 for the benefit of their members only; or

5 (3) ~~(c)~~ apprentice or other training programs by labor
6 unions.

7 (c) A nonprofit institution owned, controlled, and
8 operated and maintained by a bona fide church, religious
9 denomination, or religious organization comprised of
10 multi-denominational members of the same well-recognized
11 religion, lawfully operating as a nonprofit religious
12 corporation pursuant to the Religious Corporation Act, is
13 exempt from this Act if (i) the education is limited to
14 instruction in the principles of that church, religious
15 denomination, or religious organization or to courses offered
16 for the purpose of training the adherents of that church,
17 religious denomination, or religious organization in the care
18 of the sick in accordance with its religious tenets and (ii)
19 the diploma or degree is limited to evidence of completion of
20 that education and the meritorious recognition upon which any
21 honorary degree is conferred is limited to the principles of
22 that church, religious denomination, or religious
23 organization.

24 Institutions exempt under this subsection (c) shall offer
25 degrees and diplomas only in the beliefs and practices of the
26 church, religious denomination, or religious organization. The

1 enactment of this amendatory Act of the 98th General Assembly
2 expresses the legislative intent that this State must not
3 involve itself in the content of degree programs awarded by any
4 institution exempt under this subsection (c), as long as the
5 institution awards degrees and diplomas only in the beliefs and
6 practices of the church, religious denomination, or religious
7 organization.

8 Institutions exempt under this subsection (c) may not award
9 degrees in any area of physical science. Any degree or diploma
10 granted in any area of study under this Section shall contain
11 on its face, in the written description of the title of the
12 degree being conferred, a reference to the theological or
13 religious aspect of the degree's subject area. Degrees awarded
14 under this subsection (c) shall reflect the nature of the
15 degree title, such as "associate of religious studies",
16 "bachelor of religious studies", "master of divinity", or
17 "doctor of divinity". The degree title of "associate of arts",
18 "associate of science", "bachelor of arts", "bachelor of
19 science", "master of arts", "master of science", "doctor of
20 philosophy", or "Ph.D." may be awarded only if the institution
21 is authorized to award such a degree and is approved as a
22 degree granting institution under Section 4 or 5 of this Act.
23 The enactment of this amendatory Act of the 98th General
24 Assembly is intended to prevent any entity claiming to be a
25 nonprofit institution owned, controlled, and operated and
26 maintained by a bona fide church, religious denomination, or

1 religious organization comprised of multi-denominational
2 members of the same well-recognized religion, lawfully
3 operating as a nonprofit religious corporation pursuant to the
4 Religious Corporation Act, from marketing and granting degrees
5 or diplomas that are represented as being linked to their
6 church, religious denomination, or religious organization, but
7 which, in reality, are degrees in secular areas of study.

8 An institution exempt under this subsection (c) shall
9 annually file with the Board evidence to demonstrate its status
10 as a nonprofit religious corporation under the Religious
11 Corporation Act.

12 (Source: P.A. 95-639, eff. 10-5-07.)

13 Section 99. Effective date. This Act takes effect July 1,
14 2014.