

proval by the State Department of Education. Such approval shall be given only if the State Department of Education finds that the applicant, organization or entity:

(1) Maintains physical facilities suitable and sufficient to the giving of a program or programs of instruction of degree caliber in the field or fields wherein it proposes to grant degrees.

(2) Maintains a suitable and sufficient faculty for instruction in its degree granting program or programs.

(3) Maintains its student records in a safe and suitable place so that there is reasonable assurance that they are and will remain available for all normal purposes for a reasonable period of time.

(4) Complies with all provisions of this sub-title other than the requirement for instruction in residence.

(b) In making any finding pursuant to this section the State Department of Education may consider as evidence the action of any recognized accrediting with respect to the applicant, organization or entity, but shall not be bound thereby.

305. *Right of inspection: Penalty for refusal or obstruction.*

Any duly authorized officer, employee or other representative of the State Department of Education may enter upon the premises of and inspect or otherwise examine the same and any books, papers or other records pertaining to the educational activities of any degree granting institution. For failure to permit such entry, inspection or examination or for obstruction thereof, the State Department of Education may invalidate any notice filed with it by the degree granting institution pursuant to Section 303 of this sub-title and may refuse to accept another notice from or on behalf of said institution or any person connected with the administration thereof until such refusal or obstruction has been withdrawn. Any action taken pursuant to this section shall be in addition to any other penalty which may be imposed for violation of this Act.

306. *Unlawful Representations.* Neither the fact of filing nor the permission to grant any degree or degrees shall be held to mean that the State Department of Education has passed upon the merits of, or given approval to, a particular course of instruction or degree granting institution. It shall be unlawful to make, or cause to be made, to any person any representation contrary to the provisions of this section.

307. *Penalties.* Any person, firm, corporation, partnership, association, degree granting institution, or other entity making any false statement in any notice or amendment thereto filed pursuant to Section 4 of this Act shall be guilty of perjury. Any other violation of this Act shall be subject to a fine of not less than \$1,000 nor more than \$10,000 or to a term of imprisonment not to exceed ten years, or both. Each violation shall constitute a separate offense.

308. *Injunctions.* The State Department of Education acting by the Attorney General may proceed by injunction against any violation of this sub-title, but no such proceeding and no order issued therein or as a result thereof shall bar the imposition of any other penalty which may be imposed for violation of this sub-title.