

(F) ORDER TO CORRECT DEFICIENCIES.

(1) IF THE STATE BOARD BELIEVES THAT A NONCOLLEGIATE EDUCATIONAL INSTITUTION DOES NOT MEET THE CONDITIONS OR STANDARDS ON WHICH ITS CERTIFICATE OF APPROVAL WAS BASED, IT SHALL GIVE THE INSTITUTION WRITTEN NOTICE OF THIS BELIEF.

(2) THE NOTICE SHALL SPECIFY THE ALLEGED DEFICIENCIES AND DIRECT THE INSTITUTION TO CORRECT THEM WITHIN A PERIOD OF NOT LESS THAN 30 DAYS AS SET BY THE BOARD. IF THE INSTITUTION REQUESTS A HEARING WITHIN 20 DAYS OF THE NOTICE, THE BOARD SHALL HOLD A HEARING TO DETERMINE THE MATTER.

(3) THE ORDER TO CORRECT THE DEFICIENCIES SHALL BE STAYED UNTIL A DETERMINATION IS MADE AFTER THE HEARING.

(G) ORDER TO END OPERATIONS.

(1) THE STATE BOARD MAY ORDER A NONCOLLEGIATE EDUCATIONAL INSTITUTION TO END OPERATIONS IF THE INSTITUTION FAILS TO CORRECT THE SPECIFIED DEFICIENCIES WITHIN THE PERIOD SET BY THE BOARD AND IF:

(I) A HEARING IS NOT REQUESTED; OR

(II) AFTER A HEARING, THE BOARD FINDS THAT THE INSTITUTION DOES NOT MEET THE CONDITIONS OR STANDARDS.

(2) THE ORDER TAKES EFFECT 15 DAYS AFTER IT IS ISSUED.

(H) JUDICIAL REVIEW.

(1) AN INSTITUTION HAS THE RIGHT TO JUDICIAL REVIEW OF A STATE BOARD DEFICIENCY DETERMINATION UNDER THIS SECTION AS PROVIDED BY THE ADMINISTRATIVE PROCEDURE ACT.

(2) THE DECISION OF THE STATE BOARD IS PRESUMED CORRECT AND PROPER AND THE INSTITUTION HAS THE BURDEN OF PROVING OTHERWISE.

(3) THE STATE BOARD SHALL BE A PARTY TO THE PROCEEDING.

(I) INSPECTION, REPORTS, AND INFORMATION.

A NONCOLLEGIATE EDUCATIONAL INSTITUTION SHALL:

(1) BE OPEN FOR INSPECTION BY THE STATE SUPERINTENDENT OR HIS DESIGNEE AT ALL REASONABLE TIMES; AND

(2) FURNISH THE REPORTS AND INFORMATION REQUIRED BY THE STATE SUPERINTENDENT ON THE FORMS PROVIDED BY THE STATE SUPERINTENDENT.

REVISOR'S NOTE: This section presently appears as Art.