

determine the matter.

(3) The order to correct the deficiencies shall be stayed until a determination is made after the hearing.

[[g]] (H) (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]] (I) (1) An institution has the right to judicial review of [a] ANY 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]] (J)

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.

12-203.

(a) Except for an institution operating under a charter granted by the General Assembly, an institution of postsecondary education may not commence or continue to operate, do business, or function without a certificate of approval from the State Board for Higher Education.

(b) The State Board for Higher Education shall issue a certificate of approval to an institution of postsecondary education if it finds that the facilities, conditions of entrance and scholarship, and educational qualifications and standards are adequate and appropriate for:

(1) The purposes of the institution; and