

**Effective 5/13/2014**

**13-34a-302 Denial, suspension, or revocation of certificate of postsecondary state authorization.**

- (1) In accordance with Chapter 2, Division of Consumer Protection, and Title 63G, Chapter 4, Administrative Procedures Act, the division may deny, suspend, or revoke a certificate of postsecondary state authorization if:
  - (a) for a certificate of postsecondary state authorization issued under Section 13-34a-203, the postsecondary school:
    - (i) fails to comply with a requirement described in Section 13-34a-203;
    - (ii) omits a material fact from the postsecondary school's completed registration form; or
    - (iii) includes a material fact in the postsecondary school's completed registration form that is incomplete, false, inaccurate, or misleading; or
  - (b) for a certificate of postsecondary state authorization issued under Section 13-34a-204:
    - (i) the denial, suspension, or revocation is in the public interest; and
    - (ii) the postsecondary school:
      - (A) fails to meet a requirement described in Section 13-34a-204;
      - (B) submits a registration form or any supporting documentation that is incomplete, false, inaccurate, or misleading;
      - (C) grants an educational credential to an individual that the individual did not earn;
      - (D) violates a provision of this chapter or a rule made under this chapter;
      - (E) is the subject of an order issued by a court or an administrative agency that includes a finding or admission of fraud, breach of fiduciary duty, or misrepresentation, or behavior that lacked moral integrity, truthfulness, or mental competence;
      - (F) has been convicted of a crime of moral turpitude;
      - (G) fails to give the division information that the division requests in connection with a certificate of postsecondary state authorization; or
      - (H) fails to timely pay a fine imposed under this chapter.
- (2) For a postsecondary school that obtains a certificate of postsecondary state authorization under Section 13-34a-204, the division may place reasonable requirements on the postsecondary school if:
  - (a) the requirement protects student interests; and
  - (b) the postsecondary school engaged in any of the behavior described in Subsection (1)(b)(ii).

Enacted by Chapter 360, 2014 General Session