

Article - Education

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§11–107.

(a) The Commission may authorize the Secretary, acting through the Attorney General, to seek an injunction or other judicial remedy for any violation of this title or of the rules and regulations adopted under this title.

(b) (1) If an institution of postsecondary education is required to have a certificate of approval from the Commission and is operating without a certificate of approval, the Secretary may:

(i) Issue an order to cease and desist;

(ii) Issue a notice of violation and impose a penalty of up to \$5,000;

and

(iii) Acting through the Attorney General, seek an injunction or other judicial remedy.

(2) In imposing a penalty under this subsection, the Secretary shall consider:

(i) The seriousness of the violation;

(ii) The harm caused by the violation;

(iii) The good faith of the institution and any corrective actions taken;

(iv) Any history of previous violations; and

(v) Other pertinent circumstances.

(c) For any institution of postsecondary education required to have Commission approval before offering a program, if the institution offers an unapproved program, the Secretary may require the institution to refund all tuition and fees paid by students who enrolled in the program, and may revoke the certificate of approval of any institution that fails to make a required refund within the time specified by the Secretary.

(d) The remedies provided in this section are in addition to any other remedies provided by law.

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