

CAREER DEVELOPMENT AND DISTANCE LEARNING ACT (EXCERPT)
Act 36 of 2002

390.1578 Complaint alleging violation of act; hearing; determination; cease and desist order; actions.

Sec. 8. (1) If a sworn complaint alleging a violation of this act by a registered distance learning corporation is filed with the director, the director may hold a hearing to consider the alleged violation of this act.

(2) If the director after a hearing determines that the registered distance learning corporation is violating or has violated this act, the director shall reduce his or her findings and decision to writing and shall issue and serve upon the corporation a copy of the findings and an order requiring the corporation to cease and desist from engaging in the prohibited activity.

(3) If a registered distance learning corporation violates a cease and desist order of the director issued under subsection (2), the director after notice and an opportunity for a hearing may by order revoke the registration of the corporation under this act. However, if the corporation shows by a preponderance of the evidence that the prohibited activity described in the cease and desist order resulted from a bona fide error that violated a policy or procedure of the corporation intended to prevent that error, the director shall not revoke the registration but may require that the corporation take specified remedial action. The corporation shall comply with any remedial action that the director requires.

(4) After notice and an opportunity for hearing, the director at any time may by order reopen and alter, modify, or set aside, all or part of an order issued by him or her under this section, if in his or her opinion conditions of fact or of law have so changed as to require that action or if the public interest requires that action.

History: 2002, Act 36, Imd. Eff. Mar. 7, 2002.

Compiler's note: For transfer of powers and duties of the director of the department of career development to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.