

Chapter EAB 2

APPROVAL OF SCHOOLS

EAB 2.01	Definitions (p. 3)	EAB 2.07	Surety bond (p. 8)
EAB 2.02	Approval of schools and courses of instruction (p. 3)	EAB 2.08	Agent for service of process (p. 9)
EAB 2.03	Approval of schools prior to operation (p. 5)	EAB 2.09	Investigation and review (p. 9)
EAB 2.04	Schools operating in more than one location (p. 5)	EAB 2.10	List of approved schools and courses of instruction (p. 9)
EAB 2.05	Application for approval (p. 6)	EAB 2.11	Application and renewal fees (p. 10)
EAB 2.06	Criteria for approval of schools and courses of instruction (p. 7)	EAB 2.12	Period for handling applications (p. 11)

History: Chapter EAB 2 as it existed on December 31, 1972 was repealed and new chapter EAB 2 was created, Register, December, 1972, No. 204, effective January 1, 1973.

EAB 2.01 Definitions. In this chapter and the following chapters, the following terms shall have the designated meanings:

(1) "Board" means the state of Wisconsin educational approval board.

(2) "Course" means an organized unit of subject matter in which instruction is offered within a given period of time or which covers a specified amount of related subject matter.

(3) "Course of instruction" means a series of classroom or correspondence courses having a unified purpose which lead to a diploma or degree or to an occupational or vocational objective.

(4) "School" means any individual, partnership, association, or corporation or any combination thereof operating a private trade, correspondence, business or technical school not excepted under s. 38.51 (9), Stats., which maintains, advertises or conducts any course or course of instruction for profit or a tuition charge.

(5) "Solicitor" means a person employed by or representing a school either located within or outside this state who, in places other than the actual business premises of the school, personally attempts to secure the enrollment of a student in such school, whether or not the intended result of such direct contact is the actual signing of an enrollment agreement.

(6) "Teaching location" means the area and facilities, including any office, classroom, meeting room, laboratory, or other location, designated for use by a school, but does not include a location used solely for the recruitment of students.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; cr. (6), Register, June, 1984, No. 342, eff. 7-1-84.

EAB 2.02 Approval of schools and courses of instruction. (1) APPROVAL REQUIRED. No school may:

(a) Solicit students unless the school is approved by the board.

(b) Advertise, offer or teach any course of instruction unless the school and that course of instruction are approved by the board.

EAB 2

(c) Deny enrollment to any student, or make any distinction or classification of students, solely on account of sex, race, color, or creed.

(d) Use a location as a teaching location unless that location is approved by the board as a teaching location of the school.

(2) INVESTIGATION AND INSPECTION. Upon application, the board or its duly authorized representative shall investigate and inspect schools doing business within this state, whether located within or outside this state, and courses of instruction offered by these schools, and the board shall approve schools and courses of instruction meeting its requirements and standards and complying with its rules.

(3) RENEWAL OF APPROVAL. (a) Except as provided in par. (b), a school approved to operate or do business in the state shall, after June 30 but no later than September 1 of each year, apply for renewal of approval on forms furnished by the board and shall submit with the forms the fee required by s. EAB 2.11 (3).

(b) A school need not apply for renewal of approval in the calendar year in which the school paid in full the fees required by s. EAB 2.11 (2).

(3) ANNUAL APPROVAL. Approval shall be given on an annual basis only. Approval of schools which had been granted prior to the effective date of these rules shall expire September 1, 1973 unless revoked according to the procedures set forth herein. Three months prior to the expiration of a school's current approval, request must be made to the board for re-approval. Such re-approval may be based on the quarterly reports filed by the school with the board as required by s. 38.51 (10), Stats., or the board may require submission of a new application as required in s. EAB 2.05.

(4) REVOCATION OF APPROVAL. (a) Upon a determination by the board that there has been a failure to maintain the standards or to continue to comply with the rules or meet the requirements for approval, approval of the school or the course of instruction shall be revoked.

(b) Refusal by a school to allow reasonable inspection, or to supply information after written request therefor by the executive secretary or failure to comply with any and all of these rules shall be grounds for revocation of approval.

(5) NOTICE OF WITHHOLDING OF APPROVAL OR OF REVOCATION OF APPROVAL. Notice of withholding of approval or of the revocation of approval of a school or course of instruction shall be sent by certified mail, return receipt requested, to the last address of the school involved. Withholding or revocation of approval of the school or course of instruction shall be effective 10 days after the notice of revocation has been mailed to the school.

(6) HEARING. Any school whose legal rights, duties, or privileges are directly affected by an action of the executive committee, its duly authorized representative, or the board may request a hearing to contest the action taken. Such a hearing must be requested within 10 days of the effective date of the action taken. If a hearing is requested it will be held within a reasonable time after receipt of the request. Notice of such hearing shall be sent to the school 10 days prior to the date of such hearing, giving the school notice of date, time and place.

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(7) **CONDUCT OF HEARINGS.** All hearings shall be presided over by one or more members of the board or such hearing examiner as may be designated by the board.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; am. (1), Register, June, 1984, No. 342, eff. 7-1-84; r. and recr. (3), Register, May, 1987, No. 377, eff. 7-1-87.

EAB 2.03 Approval of schools prior to operation. (1) **CRITERIA.** Approval of schools planned or proposed for operation within the state may be made by the board upon application as provided by s. EAB 2.05 which gives evidence that the planned or proposed school meets approval requirements. Purchase or rental of physical facilities, materials, and equipment and hiring of instructional staff need not be accomplished prior to consideration of approval if the proposed physical facilities, materials, and equipment are fully described, the qualifications of instructor positions have been clearly stated, and such descriptions and qualifications, if carried out in practice, would meet the criteria for approval as set forth in s. EAB 2.06.

(2) **PERIOD OF INITIAL APPROVAL.** A school not yet in operation may be approved for a period of operation not to exceed 6 months. Prior to beginning the second month of operation, the school shall submit to the board full descriptions of physical space, materials, and equipment in use and qualifications of instructional staff currently employed.

(3) The criteria of sub. (1) and the period of initial approval of sub. (2) shall apply to the addition of another course of instruction to the offerings of a currently approved school.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73.

EAB 2.04 Schools operating in more than one location. (1) **DEFINITION.** A school is deemed to operate in more than one location when any of its instructional facilities are located more than 30 miles from any other instructional facilities of the school or its address of record with the board, or when any distinction in name is used by the school in its advertising, catalog, or contracts to identify the separate location of the school.

(2) **APPROVAL.** Schools operating in more than one location may be approved as one school with several specified locations when:

(a) All locations to be included in the approval meet the criteria for approval, and;

(b) The information required by the board to be submitted on and with the application for approval has been supplied for each location, and;

(c) All locations to be included in the approval are directly controlled by a single individual, partnership, association, or corporation, and that the controlling entity, in making application to the board, agrees to indemnify all persons suffering loss or damage as the result of the controlled subsidiary's failure to fulfill any contractual obligation for educational services or failure to comply with these regulations.

(3) **BONDING.** The bonds required by ss. EAB 2.07 and 3.04 shall not be required of each location of a school approved as provided in sub. (2) if the bonds furnished specifically are made to apply to all locations and names identified in the application.

EAB 2

(4) **SOLICITOR'S PERMITS.** If a school has been approved as one school with several locations, only one solicitor's permit per solicitor shall be required to solicit for all locations of the school included in the approval.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73.

EAB 2.05 Application for approval. (1) No school shall be approved unless it shall make application, through its officers or an owner, upon forms to be provided by the board, and unless said application shall be accompanied by:

(a) A copy of all enrollment applications the school anticipates using in Wisconsin; meeting the requirements of ch. EAB 5;

(b) A statement of its cancellation and settlement policy meeting the minimum requirements set out in ch. EAB 7;

(c) A school catalog or bulletin containing:

1. Identifying data, such as volume number and/or date of publication.
2. Name of school and its governing body and officials.
3. A calendar showing the legal and scheduled holidays, vacation periods, and the beginning and ending date of each term or semester.

4. School policy and regulations regarding enrollment dates and specific entrance requirements for each course.

5. School policy and regulations relative to leave, absences, tardiness, class cuts, make-up work, and interruption for unsatisfactory work or attendance.

6. School policy and regulation relative to standards of progress required of the student, the grading system of the school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress, and a description of the probationary period, if any. Also, conditions of re-entrance for those students dismissed for unsatisfactory progress and statement regarding progress records kept by the school and furnished the students.

7. School policy and regulation governing student conduct and conditions of dismissal for unsatisfactory conduct.

8. Charges for tuition and schedule of fees for student activities, laboratory, rentals, deposits and all other charges.

9. An outline for each course for which approval is requested, showing subject or units of work, type of work or skill to be learned, approximate time and clock hours to be spent on each subject or course, and disclosure of any further training known, or which should reasonably be known by the school, which would usually be required of a student to secure initial employment consistent with the vocational objective for which the course is represented to prepare the student.

10. Policy and regulation of the school relative to granting credit for previous education and training.

(d) A description of the school's placement services;

(e) A copy of all advertising recently used or reasonably expected to be used in Wisconsin by the school;