

## Chapter SPS 122

### EXAMINATIONS

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**Note:** Chapter RL 122 was renumbered chapter SPS 122 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671.

**SPS 122.01 Authority.** The rules in this chapter are adopted pursuant to ss. 227.11 (2), 480.06, 480.08 (2) (e) and (2m), and 480.10, Stats.

**History:** Cr. Register, June, 1995, No. 474, eff. 7–1–95.

**SPS 122.02 Public notice.** The department shall prepare an examination application form and informational materials which list the examination dates which have been scheduled by the department for no less than the 6 months following publication.

**Note:** Applications may be obtained from the department located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708. An otherwise qualified applicant shall be provided with reasonable accommodations.

**History:** Cr. Register, June, 1995, No. 474, eff. 7–1–95.

**SPS 122.03 Subjects tested.** The department shall prepare examinations as required under s. 480.10, Stats. The examination shall be a written examination that tests the applicant's knowledge or competence in all of the following areas:

- (1) Solicitation.
- (2) Contracts.
- (3) Pre–auction preparation.
- (4) Conducting an auction.
- (5) Closing and sales records.
- (6) Statutes and administrative rules substantially related to conducting an auction.

**History:** Cr. Register, June, 1995, No. 474, eff. 7–1–95.

**SPS 122.04 Cheating on examination.** An applicant may not give or receive unauthorized assistance during the examination, improperly remove notes, examination questions or secure documents from the examination setting, sell or distribute actual examination questions from the examination, buy or obtain unauthorized access to examination questions, or otherwise violate the published rules of conduct of the examination.

**History:** Cr. Register, June, 1995, No. 474, eff. 7–1–95; am. Register, July, 1999, No. 523, eff. 8–1–99.

**SPS 122.05 Passing score.** The score required to pass the examination shall be based on the department's determination of the level of examination performance required for minimum acceptable competence in the profession. The department shall make the determination after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics, and shall set the passing score for the examination at that point which represents minimum acceptable competence in the profession.

**History:** Cr. Register, June, 1995, No. 474, eff. 7–1–95.

**SPS 122.06 Examination review.** (1) An applicant who fails the examination may request a review of that examination by filing a written request to the department within 30 days after the date on which the examination results were mailed to the applicant.

(2) An examination review shall be conducted under the following conditions:

- (a) The time for review shall be limited to one hour.
- (b) The examination shall be reviewed only by the applicant and in the presence of a proctor.
- (c) The proctor may not respond to inquiries by the applicant regarding allegations of examination error.
- (d) Any comments or claims of error regarding specific questions or procedures in the examination may be placed in writing by the applicant on the form provided for this purpose. The request shall be reviewed by the department in consultation with a subject matter expert. The applicant shall be notified in writing of the department's decision. If the decision does not result in a passing grade, the applicant may retake the examination.

(e) An applicant shall be permitted only one review of the failed examination each time it is taken and failed.

**History:** Cr. Register, June, 1995, No. 474, eff. 7–1–95.

**SPS 122.07 Claim of examination error.** (1) An applicant wishing to claim examination error must file a written request for department review in the department office within 30 days after the date the examination was reviewed. The request shall include:

- (a) The applicant's name and address.
- (b) The type of registration applied for.
- (c) A description of the perceived error, including reference text citations or other supporting evidence for the applicant's claim.

(2) The request shall be reviewed by the department in consultation with a subject matter expert. The applicant shall be notified in writing of the department's decision. If the decision does not result in a passing grade, the applicant may retake the examination.

**History:** Cr. Register, June, 1995, No. 474, eff. 7–1–95.

**SPS 122.08 Examination retakes.** (1) There is no limit to the number of times any applicant may retake the examination.

(2) An applicant who passes the examination and remains unregistered for one year or more after the date of the examination shall again take and pass the examination before being registered.

(3) An applicant who reviews an examination pursuant to s. SPS 122.06 may not retake the examination within 30 days after the date on which the examination was reviewed.

**History:** Cr. Register, June, 1995, No. 474, eff. 7–1–95; correction in (3) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.