

Chapter SPS 410

REPRESENTATIVES' PERMITS

SPS 410.01 Permit necessary.
SPS 410.02 Application for permit.

SPS 410.03 Enrollment agreement.
SPS 410.04 Refusal or revocation of a permit.

Note: Chapter EAB 3 was renumbered chapter EAB 10, Register, June, 1990, No. 414, eff. July 1, 1990. Chapter EAB 10 was renumbered chapter SPS 410 under s. 13.92 (4) (b) 1., Stats., Register November 2017 No. 743.

SPS 410.01 Permit necessary. No individual representing any school shall secure enrollment of students in this state for a consideration or remuneration, except upon the actual business premises of the school, unless he or she first secures a permit. If the individual represents more than one school, a separate permit shall be obtained for each school. A permit shall be valid for one year from the date issued.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; am. Register, September, 1976, No. 249, eff. 10-1-76; am. Register, October, 1997, No. 502, eff. 12-1-97.

SPS 410.02 Application for permit. (1) ORIGINAL APPLICATION. An individual shall apply for a permit on department forms and shall submit with the application a \$200 fee and evidence of coverage for that representative of \$2,000 denoted on the school's bond. The school for which the individual requests a permit shall concur in the individual's application.

(2) RENEWAL APPLICATIONS. An individual shall apply for renewal of a permit on department forms and shall submit with the application a \$200 fee and evidence of coverage for that representative of \$2,000 denoted on the school's bond.

(3) APPROVAL REQUIRED. Before any permit shall be issued, the school to be represented and the program to be sold must be approved by the department.

(4) ISSUANCE. Where the application requirements set forth above have been met and there is no showing that any of the grounds for refusal or revocation as set forth in s. 440.52 (8) (c), Stats., exist, the permit shall be issued.

(5) REVISED APPLICATIONS. An individual or school shall pay a fee of \$75 each time a submittal requires revision or amending.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; am. (1) and (2), Register, September, 1976, No. 249, eff. 10-1-76; am. (1) and (2), Register, November, 1980, No. 299, eff. 12-1-80; renum. (1) to (4) to be (2) to (5) and am. (2) and (3), cr. (1), Register, May, 1987, No. 377, eff. 7-1-87; am. (1) to (3), cr. (6), Register, March, 1993, No. 447, eff. 4-1-93; r. (1), renum. (2) to (6) to be (1) to (5) and am. (1), (2), (3) and (5), Register, October, 1997, No. 502, eff. 12-1-97; correction in (4) made under s. 13.93 (2m) (b) 7., Stats., Register, March, 2001, No. 543; correction in (4) made under s. 13.93 (2m) (b) 7., Stats., Register January 2013 No. 685; correction in (1) to (3) made under s. 13.92 (4) (b) 6., Stats., and correction in (4) made under s. 13.92 (4) (b) 7., Stats., Register November 2017 No. 743.

SPS 410.03 Enrollment agreement. (1) INFORMATION REQUIRED. Every enrollment agreement used by a representative shall conform to the requirements of the ch. SPS 406.

(2) COPY TO STUDENT. Every representative shall deliver a copy of the enrollment agreement and 2 copies of the Notice of Cancellation to each student at the time the agreement is signed.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; am. Register, June, 1990, No. 414, eff. 7-1-90; am. (1) and (2), r. (3), Register, October, 1997, No. 502, eff. 12-1-97; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register November 2017 No. 743.

SPS 410.04 Refusal or revocation of a permit. (1) GROUNDS. The department may refuse to issue or renew, or may revoke any permit upon one or any combination of the grounds set forth in s. 440.52 (8) (c), Stats.

(2) NOTICE. Notice of refusal to issue or renew a permit or of the revocation of a permit shall be sent by certified mail, return receipt requested, to the last address of the applicant or permit holder shown in the records of the department. Revocation of a permit shall be effective 10 days after notice of revocation has been mailed to the permit holder.

(3) REQUEST FOR APPEARANCE. Within 20 days of the receipt of notice of the department's refusal to issue or renew a permit or of the revocation of a permit, the applicant or holder of the permit may request to appear before the department in person, with or without counsel, to present reasons why the permit should be issued or reinstated. Upon receipt of such request, the department shall grant a hearing to the applicant or holder of the permit within 30 days, giving the person at least 10 days notice of the date, time and place.

(4) ISSUANCE OR REINSTATEMENT. The department may, upon hearing and after any further investigation it deems necessary, issue, renew or reinstate a permit which it refused to issue or renew or which it revoked, where it determines that all of the requirements for permit set forth in s. SPS 410.02 have been complied with.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; am. (4), Register, June, 1990, No. 414, eff. 7-1-90; renum. from EAB 10.05, am. (1), Register, October, 1997, No. 502, eff. 12-1-97; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, March, 2001, No. 543; CR 02-135; am. (3) Register April 2003 No. 568, eff. 5-1-03; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register January 2013 No. 685; corrections made under s. 13.92 (4) (b) 6., Stats., and correction in (1), (4) made under s. 13.92 (4) (b) 7., Stats., Register November 2017 No. 743.