

EDUCATIONAL APPROVAL BOARD

Chapter EAB 2

APPROVAL OF SCHOOLS

EAB 2.01	Definitions			schools and courses of instruction
EAB 2.02	Approval of schools and courses of instruction		EAB 2.07	Surety bond
EAB 2.03	Approval of schools prior to operation		EAB 2.08	Agent for service of process
EAB 2.04	Schools operating in more than one location		EAB 2.09	Investigation and review
EAB 2.05	Application for approval		EAB 2.10	List of approved schools and courses of instruction
EAB 2.06	Criteria for approval of			

History: Chapter EAB 2 as it existed on December 31, 1972 was repealed and a new chapter EAB 2 was created, Register, December, 1972, No. 204, effective January 1, 1973.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 section 38.51 (9), Wis. 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.

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

EAB 2.02 Approval of schools and courses of instruction. (1) **APPROVAL REQUIRED.** No school shall solicit students, or carry on any course of instruction until said school shall have been approved by the board pursuant to the provisions of these rules. No approval shall be issued by the board to any school which denies enrollment in said school to any student, or makes any distinction or classification of students in said school, solely on account of sex, race, color, or creed. No course of instruction shall be added to the offerings of an approved school unless said course of instruction shall have first been approved by the board.

(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) **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 section 38.51 (10), Wis. Stats., or the board may require submission of a new application as required in Wis. Adm. Code section EAB 2.05.

(4) **REVOCAION 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 therefore 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 REVOCAION 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.

(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.

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 section 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

served upon a foreign corporation in any other manner now or hereafter permitted by law.

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

EAB 2.09 Investigation and review. (1) **PERIODIC REVIEW.** The board or its duly authorized representative shall investigate and review all approved schools and courses of instruction. The method of review shall be determined by the board in each case, and generally will consist of such of the following as it deems appropriate to the particular situation:

(a) Consideration of information available from the following: Federal Trade Commission, Better Business Bureaus, The Wisconsin Department of Justice—Office of Consumer Protection, other state or other official approval agencies, local school officials or interested persons.

(b) Review of the quarterly reports and statements from the school involved.

(c) Conferences with officials or representatives of the school involved or with interested persons including former students or parents of former students.

(d) Public hearing respecting the course of instruction under review with adequate written notice of the holding thereof to the school offering the course of instruction.

(e) Investigation by visitation of the school involved.

(2) **UPON COMPLAINT.** In addition to investigation upon its own initiative, the board may investigate any school and its courses or courses of instruction upon receipt of a complaint from an interested person.

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

EAB 2.10 List of approved schools and courses of instruction.

(1) **DISTRIBUTION.** A directory of approved schools and courses of instruction shall be distributed by the board to all approved schools and to others upon request. Cumulative supplements to such directory bringing it up to date by showing additions and removals subsequent to the distribution of the directory shall be distributed by the board from time to time. The directory shall be brought up to date by distribution of a new directory of approved schools and courses of instruction whenever the changes from the last directory are sufficient therefor.

(2) **CURRENT LISTING.** The board shall at all times maintain as a part of its official records a complete listing of the schools and courses of instruction which are currently approved by it. The current list of approved schools and courses of instruction shall be maintained at the office of the executive secretary of the board.

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