

Chapter EAB 3

SOLICITORS' PERMITS

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EAB 3.01 Permit necessary. No solicitor representing any school offering any course or course of instruction shall sell any course or course of instruction or solicit students therefor in this state for a consideration or remuneration, except upon the actual business premises of the school, unless he or she first secures a solicitor's permit from the board. If the solicitor represents more than one school, a separate permit shall be obtained for each school represented by the solicitor. A solicitor's 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.

EAB 3.02 Application for permit. (1) ORIGINAL APPLICATION. An application for a solicitor's permit shall be made on forms furnished by the board which must be accompanied by a \$40. fee and a surety bond acceptable to the board in the sum of \$1,000.

(2) RENEWAL APPLICATIONS. An application for renewal of a solicitor's permit shall be made on forms furnished by the board which must be accompanied by a fee of \$25. and a surety bond acceptable to the board in the sum of \$1,000 if a continuous bond has not been furnished.

(3) APPROVAL REQUIRED. Before any permit shall be issued to a solicitor, the school to be represented and the courses of instruction to be sold must be approved by the board.

(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 section 38.51 (8) (c) Wis. Stats., exist, the permit shall be issued.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; am. (1) and (2). Register, September, 1976, No. 249, eff. 10-1-76.

EAB 3.03 The enrollment agreement. (1) INFORMATION REQUIRED. Every enrollment agreement used by a solicitor to enroll students shall conform to the requirements of the Wis. Adm. Code, chapter EAB 5.

(2) COPY TO STUDENT. Every solicitor shall deliver a copy of the enrollment agreement to each student at the time the agreement is signed.

(3) CHANGES IN AGREEMENT. A copy of every enrollment agreement form used by a solicitor shall be furnished by the school to the board 10 days prior to its first use by a solicitor for the enrollment of students.

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

Register, September, 1976, No. 249

EAB 3.04 Surety bond. The surety bond furnished to the board by a solicitor may be continuous and shall be conditioned to provide indemnification to any student suffering loss as the result of any fraud or misrepresentation used in procuring his enrollment or as a result of the failure of the school to faithfully perform the agreement made with him by the solicitor, and may be supplied by the solicitor or by the school itself as a blanket bond covering each of its solicitors in the amount of \$1,000.

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

EAB 3.05 Refusal or revocation of a permit. (1) **GROUNDS FOR.** The board may refuse to issue or renew, or may revoke any solicitor's permit upon one or any combination of the grounds set forth in section 38.51 (8) (c), Wis. Stats.

(2) **NOTICE OF.** 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 board. 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 board's refusal to issue or renew a permit or of the revocation of a permit, the applicant or holder of the permit may request that he be permitted to appear before the board in person, with or without counsel, to present reasons why the permit should be issued or reinstated. Upon receipt of such request, the board shall grant a hearing to the applicant or holder of the permit within 30 days, giving him at least 10 days notice of the date, time and place.

(4) **ISSUANCE OR REINSTATEMENT.** The board 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 Wis. Adm. Code, section EAB 3.02 have been complied with.

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