

(7) The school shall, within 10 business days after receiving notice of cancellation from the student, make any refund owing as a result of the cancellation and arrange for a termination of the student's obligation to pay any sum.

(8) This section shall not be construed to apply to any program for which the total cost is less than \$150 and which is offered in less than 6 class days, provided that the program is not one of a sequence.

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; renum. from EAB 5.02 and am., Register, December, 1980, No. 300, eff. 1-1-81; renum. from EAB 6.04, am. (1), (2) (intro.), (3) to (5), r. (2) (a) to (c), (6) and (7), renum. (8) to (10) to be (6) to (8), Register, October, 1997, No. 502, eff. 12-1-97; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register January 2013 No. 685; **correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register November 2017 No. 743.**

SPS 406.04 Claims and defenses. (1) Every assignee of an enrollment agreement takes it subject to all claims and defenses of the student or successors in interest under the enrollment agreement. (s. 440.52 (7) (d), Stats.)

(2) No school may enter into any enrollment agreement in which the student waives the right to assert against the school or any assignee any claim or defense the student may have against the school arising under the enrollment agreement. Any provision in an enrollment agreement by which the student agrees to a waiver is void.

(3) (a) No school may use a promissory note or instrument, other than a check, unless it bears the following statement in contrasting boldface type: This is an enrollment agreement instrument and is non-negotiable. Every holder takes it subject to all other claims and defenses of the maker or obligor.

(b) Compliance with requirements of federal and state statutes, regulations and rules governing the form of notice of preservation of consumers' claims and defenses shall be deemed to satisfy the requirements of par. (a).

History: Cr. Register, December, 1972, No. 204, eff. 1-1-73; renum. from EAB 5.03 and am., Register, December, 1980, No. 300, eff. 1-1-81; renum. from 6.05, Register, October, 1997, No. 502, eff. 12-1-97; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register January 2013 No. 685; **correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register November 2017 No. 743.**