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**SCHOOL & PROGRAM APPROVAL  
GUIDE Understanding EAP Oversight**

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**PROTECTING WISCONSIN CONSUMERS  
AND  
PROMOTING INSTITUTIONAL EFFECTIVENESS**



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## SECTION I: UNDERSTANDING EAP SCHOOL APPROVAL

### PART A: EAP'S PURPOSE & MISSION

#### OVERVIEW

The Educational Approval Program (EAP) exists to protect consumers and ensure education and training programs meet quality standards. A school seeking approval goes through a rigorous process, which includes the following:

- Evaluating applications for approval of schools, programs, representative permits and teaching locations;
- Requiring a surety bond to demonstrate financial stability;
- Ensuring schools adhere to legal requirements in their catalogs/handbooks and enrollment agreements;
- Reviewing advertising materials for honesty and fairness.

#### WORKING WITH THE EAP

**A designated school official should contact the EAP prior to starting the approval process.**

Because the school and program approval process is rigorous and complex, it is suggested that after reading through this information **a designated school official contact the EAP and speak with a school administration consultant** who will discuss the application process to make sure the school fully understands all requirements.

Be aware that the EAP is an entirely fee-based agency. If a school submits an application with errors or needing modification, revision fees may be assessed. By doing up-front work with an EAP school administration consultant, a school can save money and speed up the review process.

After completed application materials are received with the appropriate fees, surety bond, and all supporting documents, the EAP checks to make sure all required information and forms have been submitted and that the school is in compliance with Wisconsin law.

Throughout the review process, the designated school official will be kept informed about the school's application status. If anything fails to meet EAP requirements, information is missing or needs to be changed; the school will be notified by telephone, e-mail and/or letter. In some instances, a simple conversation over the telephone or a face-to-face meeting may be helpful in moving the approval process along.

#### HOW LONG DOES APPROVAL TAKE?

The approval process officially begins when all information and application materials are received.



- By policy, the EAP may take up to *70 business days* to make an initial determination regarding application materials. EAP staff works with many schools and operates on a first-come first-serve basis. If a school must be approved by a certain date, please take this into account when submitting application materials.
- If any part of the application needs to be revised, schools have *60 calendar days* from the date of being informed of their application status to submit the required modifications; or the school will be required to begin the process again with all fees due.
- An unapproved school that is already operating has *60 calendar days* from the date of being informed it needs to be approved to submit an application and required forms. Failure to comply with requirements of the EAP may result in the matter being referred to the Attorney General for appropriate enforcement action.

## **COST OF BEING AN APPROVED SCHOOL**

**The EAP's regulatory functions are funded by assessing various fees.**

The EAP funds its regulatory functions by assessing various fees. These fees are governed by SPS 404.10 of the Wisconsin Administrative Code and fall into either one of two categories – one-time/fixed fees or renewal fees.

- *One-Time/Fixed Fees:* These are application fees for initial school approval, new or revised programs, new teaching locations, representative permits, and changes in ownership or control. A detailed listing of fees is contained in the Appendix of this guide.
- *Renewal Fees:* These fees are payments that must be made annually. The fee consists of two payments. The first payment is a flat amount of \$500 (\$100 if the school is inactive) that is due September 1 for the upcoming renewal year. The second payment is due March 1 of the renewal year and is based on a multiplier applied to each school's reported Adjusted Gross Annual School Revenues (AGASR).

The multiplier, established by the department of safety and professional services, must be equal to the percentage of the total AGASR for all approved schools needed to equal the cost of EAP's regulatory functions, less revenue from all other (one-time/fixed) fees. The multiplier is required to be calculated (in odd calendar years) for two-year periods, but is re-examined every year. This provision is intended to make the renewal fee more stable and predictable for schools.

- *Student Protection Fee:* Schools are assessed an annual fee, also due March 1, along with second payment renewal fees, to support a student protection fund. The student protection fund is intended to provide a safeguard for students in the event of a catastrophic school closure when required funding from the school bond is inadequate to fully indemnify students.





Similar to the multiplier, the Student Protection Fee (SPF) is also based on the AGASR. However, the amount is based on a fixed rate of \$0.50 per \$1,000 of reported revenue. In addition, state law requires the EAP to suspend assessing a fee when the appropriation balance of the SPF fund exceeds \$1.0 million.

- *Surety Bond:* As a condition of approval, a school must retain a surety bond, generally in the amount of \$25,000. More detailed information is contained in Section II: Initial Approval, Part A.

## PART B: BEING AN EFFECTIVE SCHOOL

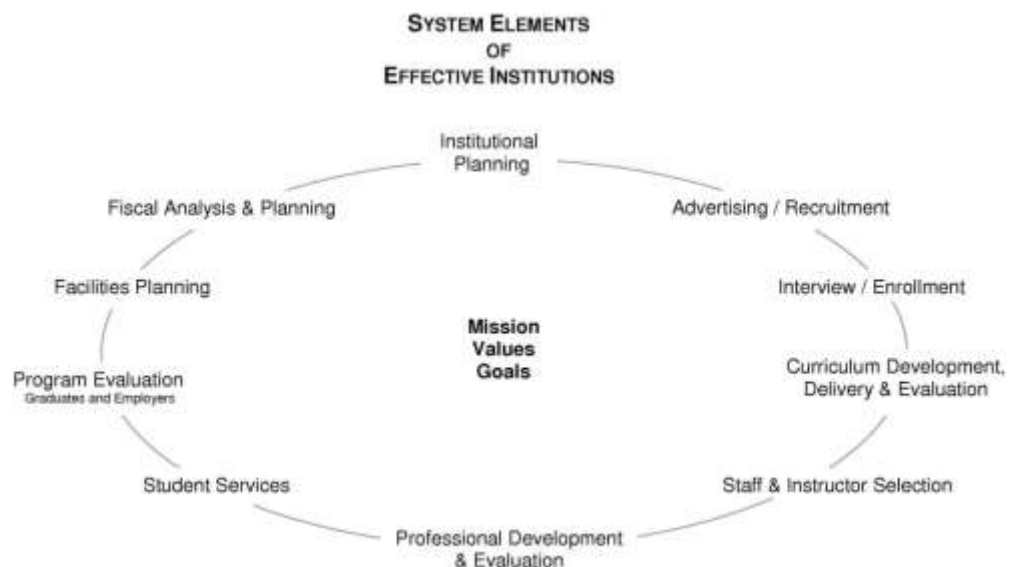
### OVERVIEW

While the EAP is a regulatory agency designed to protect consumers, the design of its oversight model is based, not solely on compliance, but also on institutional effectiveness. This design promotes quality, organizational accountability, and continuous improvement for schools as well as the EAP.

The EAP's oversight model is based on the following underlying principles:

- The best way to protect students is to enhance the schools and their programs by holding schools accountable for outcomes data.
- There needs to be a cooperative working relationship with schools for institutional effectiveness to be successful.
- Schools must develop an internal capacity for making decisions based on data, for satisfying students, and for continuous improvement.

The structure and systems of the EAP's regulatory model are represented in the illustration below.





## SCHOOL VISION, MISSION & GOALS

To help understand why a school wants to offer an education or training program to Wisconsin residents, it is important that the EAP staff understand the vision, mission and goals of the school.

- *Vision:* A school should be able to articulate what it wants to achieve at some future point in time. Its vision is something the school constantly strives towards.
- *Mission:* A school must be able to clearly state its mission. The education and training provided should be consistent with the school's mission and are documented by either a needs assessment or market experience.
- *Goals:* The school should have broad goals that are clearly stated, support its mission, and are understood at all levels of the organization.

**A school will be asked to submit an institutional plan.**

As part of the approval process, a school generally will be asked to submit an institutional plan that encompasses both its educational and business objectives. Such a plan should support the school's mission, facilitate the accomplishment of the school's organizational goals, and be updated annually. In addition, the plan should include specific and measurable objectives, with corresponding operational strategies, projected time frames, required resources, and method(s) for subsequent evaluation of each objective.

During the approval process, a school will be also asked to address the following questions.

- Who will the school serve and what do they expect as a result of the education or training provided?
- What market research is available that shows there is a need for the type of programs that will be offered and shows graduates will have labor market success and/or career advancement?
- How will the school's mission drive program development, student assessment, program evaluation, and institutional self-improvement?

## ORGANIZATIONAL MANAGEMENT

A school seeking approval must be able to demonstrate that it has a management structure that is both capable and responsible.

- *Governance:* The school should have a governing body and/or senior management team that is responsible for developing and maintaining an effective framework of written strategies and policies. This type of management structure helps ensure the integrity and effectiveness of the school and its compliance with applicable statutory, regulatory and accreditation requirements.



- *Operational Management:* The school must be able to develop operating strategies and policies within a clearly defined and understood organizational framework. This includes written policies and procedures that guides the school's day-to-day operations.
- *Professional Relationships:* The school will need to establish relationships with other organizations within the education/training and employer/industry network. These relationships are to be maintained, utilized, and documented for the purpose of enhancing the quality of the education, training, and student services.
- *Communications:* The school management is responsible for ensuring that regular and effective communication occurs among appropriate members of the institution on pertinent aspects of its operations, including the delivery of quality education and training services. To maintain operational effectiveness, periodic meetings with employees should be conducted and appropriate documentation maintained on significant issues, consistent with the size and purpose of the institution.

## ADMINISTRATIVE RESPONSIBILITIES

**Student records must be kept for a minimum of six years from graduation or last date of attendance.**

A school that has a well-run management structure, will be capable of managing the various administrative responsibilities associated with operating a school.

- *Records:* The school will need to have an organized record-keeping system that ensures all records are maintained in an accurate, orderly, and up-to-date manner. A good record-keeping system will be able to facilitate ready access and review of those records by appropriate parties. In addition, all records are to be protected from unauthorized access and undue risk of loss. The school should have a policy that addresses appropriate access by employees and students to information contained in their files. Finally, records must be maintained for a period of time consistent with applicable statutes, regulations, and sound business and educational practices.
- *Personnel Management:* The management of a school should develop, implement, and maintain written policies and procedures for the periodic and effective recruitment, selection, hiring, training, and retention of personnel. In addition, school management should provide appropriate orientation, supervision, evaluation, and training and development of its employees to ensure qualified and capable personnel, at appropriate staffing levels, are effectively utilized.

## FACILITIES & OPERATIONS

A school must have adequate facilities and operations appropriate for the type of program that it offers.



**Approval must be obtained for all sites at which instruction occurs.**

- *Facilities:* The school facility must be appropriate for the education, training, and student services offered. It is important that instruction be conducted in a safe, accessible, sanitary, and comfortable environment, which is free from distraction. A certificate of occupancy and current fire inspection report will need to be provided for all sites at which instruction occurs.
- *Equipment, Supplies, and Learning Resources:* Adequate, appropriate, and functional equipment, supplies, furnishings, and learning resources required to effectively provide the education and training services should be readily available for instructor and student use.

## **FISCAL ANALYSIS & PLANNING**

**A school will need to show it is fiscally sound.**

A school seeking EAP approval must be able to demonstrate that it is fiscally sound and has undertaken an analysis showing its operations are financially viable. The school must demonstrate responsible financial management with resources sufficient to deliver the education or training being offered. Annually, schools will be required to submit financial information during the school renewal process.

Tuition and other charges must be applied fairly and consistently, and payments must be properly recorded and tracked. Cancellation and refund policies must comply with specific requirements prescribed by SPS administrative code.

If the school provides financial assistance, including loans from alternative lenders, it must ensure that such financial assistance programs are responsibly managed, governed by written policies and procedures, and in full compliance with relevant statutes and/or regulations. Moreover, all student financial assistance must be awarded in a fair and equitable manner.

## **MARKET ASSESSMENT**

A school must be able to demonstrate that there is a need for the program(s) that it will offer. The EAP will want to know that students in the target market will enroll in the program(s) to be offered and that employers have a need for the school's graduates.

## **CURRICULUM DEVELOPMENT, DELIVERY & EVALUATION**

Prior to approving a program, an EAP school administration consultant will review it to determine if it is aligned with the school's mission and if it meets industry standards/needs. This means a school's curricular design, materials, and outcomes measurements must follow sound educational practices.



**Schools should have a sound, written assessment system that contains a set of defined elements.**

- *Educational Goals and Objectives:* The school's programs must have appropriate educational goals and objectives. The curricular content and learning experiences should present a sound, systematic, and sequential educational methodology. Each program must have sufficient and appropriate knowledge and skill elements included to ensure adequate preparation for the expected performance outcome.
- *Program/Instructional Materials:* Program materials, including syllabi, lesson plans, instructional guides, and texts should be of the appropriate scope, sequence, and depth of each program in relation to the stated goals and objectives. Instructional materials, including supplementary textbooks, software, learning activities, visual aids, electronic links, and other teaching tools should support the goals and objectives. Such materials must be up-to-date, readily available, and facilitate positive learning outcomes.

**The school must provide a sufficient number of sites to ensure appropriate and timely learning experiences in its externship/internship program.**

- *Performance Standards:* Performance standards should be written and periodically evaluated and updated to ensure instructional effectiveness. Further, the school should have a sound, written assessment system that contains a set of defined elements, such as grading scale, weighting factors, tests, quizzes, reports, projects, attendance, and participation, that are appropriately related to the performance objectives of the program.
- *Curriculum Review/Revision:* A school should have appropriate procedures to continuously monitor and improve its curriculum, which include soliciting feedback from relevant stakeholders, such as faculty, students, graduates, employers, and advisory boards; as well as analysis of completion and, if applicable, employment/placement results. The procedures should focus on a comprehensive review of the curriculum as it relates to the expected learning outcomes.
- *Certification and Licensing:* If the purpose of a program is to prepare students to meet the standards for licensing, certification, registration, or other examination requirement, the curriculum must include appropriate preparation and materials to meet the requirements for such credentials. In addition, the school must track the pass rates of graduates and use the results to measure and improve the quality of the educational programs offered.
- *Instructional Methods:* Instructional methods should be designed to encourage active and motivated responses from students. Written policies and procedures need to be in place to ensure that the program material is followed and that there is consistency of application by all instructional staff. The instructional methodology must be consistent with current training industry standards and appropriate to the educational goals and program objectives, must facilitate learning, and must serve the individual learning needs and objectives of participants.



- *Externships/Internships:* When required as a part of a program, an externship/internship or other training-related work experience should be based on a preplanned outline of the specific knowledge, skills, and experience to be acquired. Written policies and procedures for the supervision and evaluation of such externships/internships must be established and followed by the institution to ensure consistency and effectiveness. The institution must also provide a sufficient number of sites to ensure appropriate and timely learning experiences in its externship/internship program.

## STAFF & INSTRUCTOR SELECTION

A school is required to have qualified staff and instructors who are capable of effectively managing school operations and delivering the education or training being provided. Effective recruitment, selection, orientation, and evaluation processes should be utilized to ensure the school has quality personnel.

- *Qualifications:* Instructors must possess the appropriate combination of educational credential(s), specialized training and/or certification, work experience, and demonstrated teaching and classroom management skills, which qualifies them for their training assignments. Moreover, instructional personnel must meet all relevant accreditation, federal, state, local, and/or industry-specific requirements.

## PROFESSIONAL DEVELOPMENT & EVALUATION

**Schools should develop and implement an effective, written policy for ongoing professional development.**

An effective school will have a clearly defined professional development program for instructors, and will involve them in processes to evaluate student learning and program effectiveness.

- *Supervision:* Instructors should be properly supervised. Regular classroom observations, along with student, peer, and supervisory feedback should be documented and used to enhance the quality of instruction.
- *Orientation and Training:* Every school should develop and implement a written policy for the effective orientation and training of instructional personnel to ensure a consistent, high level of instruction. It should also develop and implement an effective written policy for ongoing professional development.

## ADVERTISING / STUDENT RECRUITMENT

A school should only recruit students who can reasonably be expected to benefit from the education or training delivered, and should provide student services appropriate to their needs.

- *Recruitment:* Informational and promotional materials, advertising, and representations made by or on behalf of the school must be



accurate and truthful. Claims regarding programs, costs, location, instructional personnel, student services, and outcomes must be both justifiable and provable. Schools are prohibited from claiming or implying that employment, occupational advancement, and/or certification and licensing are guaranteed.

## STUDENT ENROLLMENT

**Schools may not claim or imply that employment, occupational advancement, and/or certification and licensing are guaranteed.**

A school must provide and fully disclose to students its enrollment and transfer of credit policies.

- *Enrollment:* If a school requires students to sign a written enrollment agreement, it must be clearly stated, defined, and in compliance with statutory, regulatory, and, if applicable, accreditation requirements. Reliable and regular means should be utilized to ensure that, prior to acceptance, all applicants are able and qualified to benefit from the education and training services. In addition, the enrollment process should be regularly monitored by the institution to ensure its integrity.

Enrollment agreements are legally binding contracts and must fully disclose the rights, obligations, and responsibilities of all parties, including: (1) all costs stated in clear and explicit language; and (2) cancellation and refund policies that comply with statutory, regulatory, and accreditation requirements. The enrollment agreement (or contract) must be furnished to appropriate parties before any payment or obligation is made.

## STUDENT SERVICES & SUPPORT

**Schools are required to make students aware of their complaint process and provide the ability to file a complaint with the EAP.**

A school must offer services designed to support the instructional program and to help students attain their educational and career goals.

- *Student Services and Support:* Students must have access to a variety of services – academic advising, tutoring, employment/placement advisory services, counseling, extracurricular activities – consistent with the school's specific mission and learning objectives.
- *Student Complaints:* Every school is required to have a student complaint process and must make students aware of the ability to file a complaint with the EAP should they be unable to resolve a complaint directly with the school (**EAP Form 3.01**).

## PROGRAM EVALUATION (GRADUATES & EMPLOYMENT)

A school must have an evaluation process for assessing student learning, gauging participant satisfaction, determining employer satisfaction, collecting other graduate follow-up data and using results to improve the program and school operations.



**Satisfaction questions prescribed by the EAP must be used.**

- *Student Progress:* A school should monitor, assess, and record the progress of participants utilizing an assessment system with a set of defined elements that are appropriately related to the performance objectives of the programs. Credits or clock hours must be used to denote the successful completion of the education and training program being delivered. Student progress must be documented consistently in accordance with the school's performance standards. In addition, students must be informed of their progress on a regular and timely basis.
- *Student Outcomes:* A school will be required to report annually on the number of students who enrolled, dropped/withdrew, completed, and obtained employment during the previous year.
- *Student Satisfaction:* In addition to the above-referenced outcomes, the school must use an EAP-prescribed survey questions to ascertain the satisfaction of students related to the school and the program they received. Specifically, a school must ask students the following two questions.
  1. Did the educational program meet your expectations?
  2. Were you satisfied with the school?

Students must be asked these questions, in writing (email is acceptable), at the end of their program, and required to submit their responses (may be anonymous) as one of the steps leading up to graduation. In addition, students must be given an opportunity to explain their response in more detail. The questions can be incorporated into a more comprehensive end-of-program survey that is given to students.





## SECTION II: INITIAL APPROVAL

### PART A: SCHOOL APPROVAL

#### OVERVIEW

**The purpose of school approval is to establish a floor for quality, truthfulness, and institutional integrity and soundness.**

Wisconsin Statutes require all postsecondary schools, not otherwise exempt, to obtain approval from the EAP before advertising or doing business in Wisconsin. A school official or a designated representative must complete and submit the school application forms, along with all required attachments, to the EAB for approval.

#### INSTITUTIONAL PLANNING

The EAP employs a regulatory model focused not only on compliance, but also on institutional effectiveness. To facilitate an environment in which schools seek to be effective organizations that improve over time, the EAP requires schools to submit evidence that appropriate planning has been conducted.

**An institutional plan must encompass its educational and business objectives.**

Although similar to a strategic plan or business plan, this information will enable the EAP and school officials to engage in a dialogue over time about the future of the school. As part of the approval process, a school must complete ***EAP Form 1.10*** and submit it to the EAP for review. **The EAP does not expect the school to divulge any sensitive or proprietary business information in its institutional plan.**

Schools that already have some type of strategic plan or business plan must adapt these documents to the EAP's requirements and focus on Wisconsin operations and students. The information must address the five elements discussed below.

- *Vision:* What are the school's mission and vision, which identifies its purpose and its core values? Why does (will) the school exist? What is the school's purpose or reason for being?
- *Market:* What is the nature of the school and the business in which it is engaged? Who are the potential students and why will they enroll? How does the school intend to let students know the school exists? Who are the school's competitors and what differentiates the school from its competitors?
- *Management:* Who is part of the school management team and how does it function to lead, administer and position the school? If the school has advisory boards, how are they used to facilitate program and school improvement?
- *SWOT:* What are the school's strengths, weaknesses, opportunities and threats? What goals does the school have for each?



**The EAP wants to know a school has an idea of where it is headed.**

- *Future Think:* Where does the school see itself in five years? What will it look like and how it will be positioned in the marketplace? How will management plan for future growth? How will the school's success be evaluated?

## **SCHOOL OPERATIONS & GOVERNANCE**

As part of the approval process, a school needs to provide the EAP with basic information about its management, ownership and governance. A school is required to complete **EAP Form 1.01**, which addresses the following questions.

- Who are the pertinent institutional contacts? Each school will be required to identify a chief administrator, a compliance officer, and a registered agent. If a school operates multiple campuses, it will also need to identify the official responsible for each campus.
- Under what authority is the school operated? A school will be required to submit relevant copies of incorporation papers, licensing or partnership agreements, charters under which your school does or will operate, and listings of owners, officers, board of directors and/or partners.
- What are the mailing addresses for the school owner(s), the school's administrative headquarters, and branch campuses?
- How is the school organized? An organizational chart and an explanation of how the school will function should be provided.
- Does the school have a history of prior operations? If the school is currently operating, the school will be asked to give a brief history, and specify any previous school names and/or owners.
- Who will be the person primarily responsible for the school? The name, qualifications, job history and educational background of the school's chief administrator will need to be provided.

## **FISCAL SOUNDNESS & STABILITY**

For the EAP, ensuring a school's fiscal stability and soundness is key to protecting consumers. To help safeguard consumers, the EAP requires a school to submit a complete set of financial statements or financial projections.

- *Existing Schools:* For the most recently completed fiscal year, submit a complete set of financial statements including a balance sheet, income statement, any footnotes to financial statements, and an applicable letter from the accountant who prepared the financial statements.
- *New Schools:* Provide a completed Balance Sheet Template (**EAP Form 2.01**) and Income Statement Template (**EAP Form 2.02**) as projected for the new school's first year.



## SURETY BOND

Under Wisconsin law, the Educational Approval Program requires each school to provide and maintain a surety bond as a condition of approval. The amount of the bond required is \$25,000 or 125% of unearned tuition that the school holds at any one time, whichever is less.

**The original surety bond must be accompanied by a power of attorney from the surety company.**

The Program is permitted to reduce the required bond if it determines the amount is excessive in relation to the risk of economic loss to which Wisconsin residents are exposed based upon evidence of a stable fiscal history, satisfactory completion and placement rates, accreditation by a recognized accrediting body or other stability criteria the school may offer for review. However, no bond may be less than \$1,000 or an amount equal to \$2,000 for each representative the school may employ.

The following definitions are used in calculating the bond amount and must be understood before completing the bond calculation form or obtaining a bond from a surety company.

Unearned tuition consists of payments of tuition, fees and other charges (including charges for required books and supplies) that Wisconsin students (or their sponsors) pay to the school to enroll in a program(s) for which the student has not yet received instruction.

Wisconsin student includes any individual enrolled in a school located in Wisconsin, regardless of their state of residence AND any individual enrolled in a school located outside the state of Wisconsin or enrolled in a distance learning program who declares Wisconsin as their state of residence.

Sponsor includes any person or government agency that makes a payment on behalf of a student or awards a loan, grant, or scholarship to a student

Person means any individual, partnership association, or corporation or any combination thereof.

Every school must submit a Surety Bond calculation (**EAP Form 1.02**). In addition, after the required bond amount has been calculated, the school will need to work with a surety company that is qualified and authorized to do business in the state of Wisconsin to obtain a bond. The **original bond** (not a copy) must be accompanied by a power of attorney from the surety company. The specific language that must be used in obtaining a bond is attached to the bond calculation form.

If a school has questions about surety companies that are qualified and authorized to do business in the state of Wisconsin, contact the EAP and speak with a school administration consultant.



## FACILITIES

As part of the initial approval process, a school must provide information about the facility(ies) a school will use to offer instruction. The EAP recognizes three types of school facilities:

- *Administrative Headquarters:* This is a site where the school's core administrative functions are maintained. Instruction may or may not be provided at this site<sup>1</sup>.
- *Branch Campus(es):* This is a site where the school offers instruction and has an administrative presence, such as a campus administrator or campus president<sup>1</sup>.
- *Teaching Locations:* This is any site where instruction is provided but has no administrative presence, such as a space rented in a hotel, community center or public school district building.

**To ensure that school facilities meet applicable state standards for health and safety, the school must submit *EAP Form 1.08* and supporting documentation.**

For each branch campus or teaching location, the school must submit ***EAP Form 1.08***. This form requires the school to provide the following information:

- A description of the type of building.
- The general purpose of the building (commercial, retail, hotel/motel).
- A list of other tenants, if applicable.
- The approximate age and original purpose of the building.
- Any changes to the original building (additions, remodeling, etc.) and the approximate completion dates of these changes.

The EAP requires that a school's branch campuses and teaching locations not pose a health or safety risk to students and that they provide an adequate learning environment. To ensure school locations meet applicable state and local standards for health and safety, every school must:

- Secure a Certificate of Occupancy and a recent Fire Inspection Report showing no violations from the appropriate local authorities.

*NOTE: A Certificate of Occupancy and a Fire Inspection Report are not required if the school is housed in a public building, which has regular health, safety, and fire inspections.*

## PERSONNEL

The EAP requires the following information about teaching personnel and about representatives who will recruit students at sites away from the school.

- The qualifications instructors/faculty members must have to teach the programs offered (see Program Application – ***EAP Form 1.03***).

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<sup>1</sup> If the administrative headquarters is also an instructional site, the school's administrative headquarters and branch campus will be the same.



In addition, non-accredited schools must complete a Background of Instructor (**EAP Form 1.04**) for each instructor/faculty member the school employs.

*NOTE: A resume or vitae for an instructor/faculty member will be accepted in lieu of **EAP Form 1.04**.*

**An EAP permit is required for individuals recruiting or soliciting for the school away from the school.**

- If a school employs a person or persons to recruit and enroll prospective students at sites away from the school, a Representative Permit (**EAP Form 1.09**) is required for each person. There is a \$200 fee for each application submitted. In addition, the school must provide documentation that the school bond will provide \$2,000 coverage for each school representative recruiting for your school. Therefore, if a school has more than 12 representatives, its surety bond will need to be more than \$25,000.

*NOTE: Schools must obtain EAP approval before a representative can recruit students.*

## **ADVERTISING & PROMOTIONAL MATERIAL**

The EAP expects each school to maintain high ethical standards in conducting its operations, soliciting students, and producing advertising and promotional materials. If a school uses an unfair or deceptive trade practice, misleading or deceptive statements in its advertising, the EAP can deny or revoke a school's approval to operate.

In general, a school cannot misrepresent its name, accreditation, facilities, instructor qualifications, student qualifications for enrollment, diploma or certificate's value, graduate's job placement and earning potential, and its sales practices.

*NOTE: As part of the approval process, a school may be requested to submit each piece of advertising and promotional material that it proposes to use in Wisconsin.*

## **ENROLLMENT AGREEMENTS (CONTRACTS)**

**Enrollment agreements are legally binding contracts.**

Most likely some sort of enrollment document will be used by a school. Generally, a school uses either an enrollment application or an enrollment agreement.

An enrollment application form gathers information about the student such as name, address, telephone number, admission qualifications, program and previous training.

An enrollment agreement, on the other hand, is a legally binding contract, which must include:

- The name and address of the school.



- Disclosure that the enrollment agreement is a legally binding contract upon acceptance of the student by the school unless the student cancels the enrollment agreement within three business days of acceptance by the school.
- Disclosure of the three business day cancellation privilege.
- The total cost of the program.
- The name of the program, the number of credits or hours of instruction, and the date the program is to begin and end.
- Whether the school offers any placement service, and the nature and extent of the service.
- The description of the school's refund policy, which is in compliance with the Chapter 408 of the Wisconsin Administrative Code.
- A clear and conspicuous disclosure of truth-in-lending requirements where the tuition is paid in installments.

A school that uses an enrollment agreement must complete an Enrollment Agreement Checklist (**EAP Form 1.06**) to confirm the enrollment agreement contract contains the required information.

*NOTE: If your school uses any type of enrollment document, it must include language providing equal opportunity for all persons regardless of age, race, creed, disability, sex, religion, sexual preference or political affiliation.*

## **CUSTOMER'S RIGHT TO CANCEL**

Under Wisconsin law, a student has the right to cancel enrollment for a program until midnight of the third business day after receipt of notice of acceptance. A typed or printed notice of the cancellation privilege shall be given to the student at the time of acceptance to the school. The precise language that must be used can be found in the sample Customer's Right to Cancel (**EAP Form 1.07**).

## **REGISTERING AS A WISCONSIN BUSINESS**

Although not a part of the EAP's school approval process, a school may need to be registered as a corporate entity with the Wisconsin Department of Financial Institutions (DFI), as either a domestic (in-state) or foreign (out-of-state) entity. Contact information for DFI is as follows:

Department of Financial Institutions  
345 W Washington Avenue  
Madison, WI 53703  
Telephone: (608) 261-9555  
Fax: (608) 261-7200  
Website: [www.wdfi.org](http://www.wdfi.org)



## OTHER STATE AGENCY REQUIREMENTS

If a school will offer a program that awards a credential involving a regulated profession, such as nursing, counseling, massage therapy, teaching, insurance or securities, truck driving, etc., it will need to comply with certain requirements from other state agencies. During the approval process, EAP staff will alert a school if it also needs approval from another state agency.

## PART B: PROGRAM APPROVAL

### OVERVIEW

**The curriculum should show how each program prepares students to meet a labor market need.**

In addition to approving the school, the EAP reviews the curriculum and other information related to each program that will be offered. The program approval process is a key evaluation tool to ensure program quality and to protect consumers.

In the program application (*EAP Form 1.03*), the EAP asks a series of questions designed to probe deeply into the school's program curricula. The school will need to present its program materials so they can be evaluated as to whether the program's curricula, learning experiences, instructional guides, texts, and assessment practices demonstrate the appropriate scope, sequence, and depth needed to prepare students for career enhancement and advancement. The program curricula should show how a school's program prepares its students to meet the labor market need identified as part of its mission and goals.

### PROGRAM APPROVAL PROCESS

Curriculum review is at the center of the program approval process. The first step is for a school to review the questions asked in the program application (*EAP Form 1.03*). For a school that offers programs via distance learning, it must address the ten (10) standards contained in SPS Chapter 411 of the administrative rules.

### APPLICATION & MATERIALS

**Be sure all of the required items are included when seeking program approval.**

The program approval process is determined by how the questions about third-party accreditation and/or approval from another state are answered for the program being offered. The EAP wants to ensure programs and curricula have been thoroughly and accurately evaluated, but it does not want to unnecessarily slow down the process by duplicating already completed, credible reviews.

For all new and revised programs, the EAP asks that a detailed program outline, course syllabi, list of textbooks, instructor manuals, sample lesson plans, and a description of program testing and assessment be submitted. This information may be omitted for schools and programs accredited by an



accreditor recognized by the U.S. Secretary of Education and approved in other states, as determined by the EAB.

*NOTE: A separate program application (**EAP Form 1.03**) must be submitted for each program being offered.*

## EVALUATION CRITERIA

The EAP wants to ensure programs and curricula have been thoroughly and accurately evaluated. If documentation is submitted showing the program and its curriculum has been reviewed and/or authorized by other approving or licensing bodies, EAP staff can review materials in house, make calls verifying other reviews, and approve programs accordingly. A school may also have a credible expert review its program curriculum and address the questions that are contained in **Section VII of the program application**. The evaluation expert should submit a written evaluation of the program with the application form.

*NOTE: If the EAP has no other documentation showing a thorough program and curriculum evaluation, then EAP staff may have to contract with outside curriculum experts in that field to evaluate the materials submitted. This can be a time-consuming and expensive process. Whether the EAP has to hire outside evaluators or can verify already completed program evaluations depends on the EAP's experience with similar programs.*

## DISTANCE LEARNING STANDARDS

**Schools that offer distance learning programs must meet the standards listed in Chapter SPS 411 of the rules.**

The EAP acknowledges that distance learning presents a materially new context for Wisconsin to protect consumers. Because the oversight of online programs differs from those offered on-ground, the EAP has dedicated an entire chapter of its administrative rules to distance learning.

Chapter SPS 411 makes several "accommodations" for distance learning providers in its approval process and fees. For example, if a school has approval from another state whose requirements are substantially equivalent to those of the EAP, then the board may accept that state's approval as fulfilling all or parts of the approval process. The program application (**EAP Form 1.03**) will ask how the program will be delivered – resident, distance or both.

## PART C: SCHOOL CATALOG

### OVERVIEW

The EAP believes a truthful, useful and legally acceptable school catalog is a key part of its approval process. A school catalog is more than a listing of course titles, credits, lessons, clock hours, time spent in classes and laboratory sessions. The EAP believes that an informative and comprehensive catalog is:





- A key compliance document assuring that legal guidelines are followed.
- A clear explanation for students about what the school offers and how the program and school will work.
- A truthful and comprehensive marketing tool for a school.

**The School Catalog Checklist provides a quick overview of the catalog requirements.**

The school catalog should be thought of as a plainly stated marketing tool for prospective students. It describes what the school is going to do, how it's going to function, and what it's going to say to prospective students.

The school catalog should let the prospective student know what the school offers; what they can expect to learn and be able to do; what it costs; how the school operates; and the school's expectations, requirements and rules. The school also needs to inform students about its philosophy and mission; grading or progress reporting; attendance and tardiness rules; code of conduct; consequences for not following rules or making academic progress; tuition, fees and refund policies; and career development/employment assistance services.

Creating a good catalog requires school officials to have thought through all the issues and policies needed to run a successful school. While reading through the following pages about creating a catalog, it may be useful to refer to the catalog checklist (**EAP Form 1.05**), which must accompany the catalog that will be submitted to the EAP as part of the school approval process.

## **BEST PRACTICES FOR A SCHOOL CATALOG**

**How does the school intend to operate? Give this question careful consideration before drafting a catalog.**

The EAP's legal requirements outline good practices for a school. All schools need to address a common core of compliance points. For example, "attendance" is a compliance point, but there is also a "good practice" agreement about attendance. Every school should address attendance as part of its school catalog.

The following are suggested common key points that a school should think through and address when creating a catalog because they meet compliance requirements. This does not mean that all catalogs will look the same. EAP-approved schools have very different programs – from degree granting colleges to non-degree schools. Therefore, no two school catalogs will be the same.

- Organization of the School
- Admissions or Entrance Requirements
- Advanced Standing (or if and how credit is granted for previous training)
- Academic Requirements & Standards of Progress
- Student, Financial & Academic Records
- Code of Student Conduct



- Attendance, Tardiness & Leaves of Absence
- Probation, Dismissal & Readmittance
- Tuition, Fees & Refunds
- Program Outline & Subject Descriptions
- Instructional Calendar
- Employment Placement Services

## **CREATING A CATALOG**

The above list was compiled from the table of contents of EAP-approved school catalogs. Some catalogs have other arrangements of headings and are more complex in addressing topics important to a particular school, like financial aid. Other catalogs are simple and direct, addressing these points succinctly.

The list suggests a certain linear progress. It begins with admitting a student and ends with graduate or complete follow-up results. This linear organization should help school applicants think through the school start-up planning.

As a school develops the individual points, it needs to be aware that what it says in one area can have an impact on what it says and does in other areas. For example, consider “Advanced Standing.” A school is going to give an enrolling student advanced standing in a program for training completed before entering the program.

- What will that advancement in your program mean for the student’s total cost and time in the program?
- Does the student have to take a test and/or demonstrate competency before being granted advanced standing?
- Who decides advanced standing and how are decisions made?

Decisions under one topic often have ramifications for what the school will need to do and decide under other headings. The school catalog, as a description of how a school works, must not only be comprehensive but also coherent and internally consistent. All the parts must be addressed and then crafted into a document consistently explaining how the school operates.

To help a school through the process of creating a catalog, the following information takes each point or section of the catalog, provides some material for why it is important and required, and then poses a set of questions the school will want to consider as it designs how the school will operate.

*NOTE: Not all questions under each section will pertain to every school or program, but the section itself should be addressed.*



## >Organization of the School

In designing the catalog, include such basics as the school name, who owns or controls the school, the names of administrators and directors, and a list of key officers and personnel. Generally, the catalog will also include some history of the school; its philosophy and mission; its accreditation, approvals or affiliations; a statement by the president or director; an explanation of student services offered; financial aid programs and assistance; and anything else that can help give students a complete picture of what the school is and does.

## >Admissions or Entrance Requirements

**The school must explain its admissions process and define any education, training or testing requirements deemed necessary for enrolling students.**

The school will want to do two things: explain the process for how students apply and are accepted; and detail any specific entrance requirements students must possess to enroll. It should also explain the school's admissions process and define any education, training or testing requirements deemed necessary for enrolling students.

- Does a student complete an application?
- Are there other required forms?
- Is there a fee assessed as part of an application?
- Are students interviewed as part of the process? If so, by whom?
- Are there application deadlines?
- Are evaluations or tests part of the application process?
- How is the student accepted and notified of acceptance?
- What entrance requirements must enrolling students possess (high school diploma, GED, certain age, level of proficiency in mathematics, certain background training, etc.)?
- Are late enrollments accepted? If so, how are they accepted and is there an additional fee?

## >Advanced Standing

Often adults in postsecondary education have some previous experience and training. The school may give credit for this by granting advanced standing in a program so students will not repeat what they already know. The following questions will help the school think through the concept of advanced standing.

- Will the school grant advanced standing for prior education, training and/or experience?
- What kind of proof is required (transcripts, training agreements, letters of reference, etc.)?
- Who decides how much advanced standing and by what criteria?



- What effect will advanced standing have on program cost and length?
- How does the school evaluate previous educational credits or training?
- How and when is the student informed of the results of the evaluation?

## >Academic Requirements & Standards of Progress

**Students need feedback on their learning and progress; how will this be done?**

All students enrolled in a program want to learn, understand and be able to apply what they are being taught. So that enrolled students know whether they are actually learning and making satisfactory progress towards completion, the school needs to: 1) devise a system to evaluate whether students are learning, understanding and applying what is taught; and, 2) set some expectations or standards against which to judge whether students are making satisfactory progress toward program completion. Students need feedback on their learning and progress; how will this be done?

The nature of a program determines how complex or simple the grading, evaluating and bench-marking has to be. For a program of shorter duration (e.g., a 72-clock-hour training course) grades may be less appropriate than a final test. But, a more involved and longer program (e.g., a two-year degree of 60 credits) may require a 4-point grading scale per credit, grade point averages (GPA), minimum levels of course completion at set times, required levels of grade point averages and consequences for such things as course failure, low GPAs and unsatisfactory program progress.

The reason for a school to have academic requirements and standards of progress is simple: How does it propose to give students feedback on their learning and progress in a respective program? Once that is determined, the school can determine what will work.

The following questions are posed to help a school think through this and to ensure compliance with good practice.

- What is the school's feedback and evaluation system for student achievement and program progress?
- Is the school's grading or progress system clearly spelled out so students understand it?
- Does the school require a certain achievement level or grade point average to maintain standing and to graduate? If so, what level/average?
- Does the school require students to move through the program at a certain pace to be considered as making satisfactory academic progress?



- If achievement levels, grades and/or satisfactory progress through the program are not made, does the school place students on probation or dismiss them?
- How long is a probationary period; and what are the conditions of a probationary period?
- How long is a dismissal?
- Can students re-enter after probation or dismissal and what is the school's process for re-admittance?

### **>Student Academic Progress & Financial Records**

**A school will need to have a thorough progress reporting and record keeping systems.**

Students need regular reports about their academic progress and achievement; and need to receive a certificate, diploma, or degree for successfully completing a program. A school will need to have thorough progress reporting and record keeping systems. The nature of the subject and its program will determine the complexity of the student reporting and record keeping system.

For example, a degree granting, multi-year program may offer financial aid, involve credits by semester or term, and facilitate transferability of credits or degrees to other institutions. In this case, the school would need to apply laws governing confidentiality of student records, devise a progress reporting method, and establish a policy on maintaining student records and information. For a less involved program of clock hours leading to a certificate, record keeping may involve keeping track of who is enrolled and whether they received a certificate.

The following questions will help determine what is needed for compliance and good practice.

- While a student is enrolled, what student records does the school maintain?
- What is the school's system for reporting to students their progress?
- When do students receive progress reports or grades?
- What records are maintained after a student is no longer enrolled?
- How long does the school keep student records after a student leaves?
- How is confidentiality maintained by the school?

### **>Code of Student Conduct**

Setting a code of student conduct will help a school define the kind of culture it wants to create. Students should be able to devote time to their studies and learning without distractions and disruptions. For the protection of both students and the school, the catalog should spell out what is not acceptable,



**The catalog should also spell out what conduct is not acceptable and the consequences for violations.**

and what consequences there are for violating the clearly defined code of student conduct.

In a code of conduct, the types of conduct and specific behaviors deemed unacceptable should be listed. Such a code may include anything from prohibition of dishonesty, illegal drug use and harassment, to specific descriptions of personal appearance and smoking policies.

Along with the code of conduct should be a set of consequences for students who violate the code, from probation to suspension to dismissal. The school may want to define an appeals process and re-admittance method as part of the way it deals with violations.

The following questions will help determine what is needed for compliance and good practice:

- What type of conduct does the school expect of students?
- What type of conduct will not be tolerated?
- What will the school do to students who violate the code of conduct?
- Will the school dismiss students for conduct violations? If so, what is the appeals process and re-admittance process?
- If students can be readmitted, what are the conditions placed on them?

### **>Attendance, Tardiness, & Leaves of Absence**

**The catalog must address attendance, tardiness, and absences.**

Students cannot learn if they are not regularly attending school. Poor attendance also disrupts the classroom. Additionally, employers demand responsible, punctual and dedicated employees. The catalog must address attendance, tardiness, and leaves of absence.

The following questions will help the school work through the complexities of this topic:

- Will the school distinguish between types of absences like excused, unexcused, full day, part day and/or class cuts?
- Does the school have objective standards for and some way to record types of absence?
- How will the school handle assignment of and grading for make-up work due to absences?
- Will the school count tardiness? Has it objectively defined what tardiness is (e.g. 10 minutes late)?
- How does tardiness fit with attendance and absences? For example, do two tardiness equal one unexcused absence?



- What are the consequences for unsatisfactory attendance? If probation is one consequence, under what conditions and for how long?
- If dismissal is one consequence, under what conditions?
- If a student is dismissed for poor attendance, can the student be readmitted and by what process?

### >Probation, Dismissal & Readmittance

**Probation or dismissal criteria must be clearly defined in the school catalog.**

This topic relates back to academic progress, student conduct and attendance. A school may choose to address this issue under its own heading in the catalog, or as a consequence under each category to which it relates, such as academic progress or unacceptable attendance.

The following questions will help clarify a school's policy and procedures:

- Does the school place students on probation or dismiss them for reasons like poor academic progress, misconduct and unacceptable attendance? If so, have the criteria been clearly defined which result in probation or dismissal?
- What is the probationary time and how is one returned to good standing?
- Who decides to invoke probation or dismissal and does the school have an appeals process?
- If a student is dismissed, can he or she be readmitted and how is that done?

### >Tuition, Fees & Refunds

**A school refund policy must comply with Chapter 408 of the SPS's administrative code.**

To fulfill its consumer protection function, the EAP requires schools to tell students what it costs to attend a school and what refunds they will receive if they discontinue their enrollment. The EAP believes no cost should be hidden, nor be a mystery to students. The rule of thumb is if a school is going to charge students for something, it should tell them about it by putting it in the school catalog.

Tuition - What is the semester, term, or program cost? **Schools can accept payment in installments, but if more than four installments, the school will need to have its enrollment agreement approved by the Wisconsin Department of Financial Institutions.** Since four or fewer installments without interest need no prior approval, a school may wish to keep it simple.

Fees - All fees should be spelled out for books, supplies, activities, labs, transcripts, graduation, withdrawal, etc. If there is a charge, tell students about it in the catalog.

Refunds - Refunds are governed by the standards found in Chapter 408 of the SPS's administrative rules. A school refund policy must comply with these



requirements and include relevant sections in its catalog. **While a school can adopt a cancellation and refund policy that is more generous to students, it cannot have one that is more restrictive than the EAP requirements.**

The following questions may seem more detailed than those of other sections; that is because the legal consumer protection requirements are addressed. A school should ask itself these questions as its refund policy is developed.

- Does the school catalog contain a schedule of all charges students are assessed?
- Does the school permit and/or require installment payments and what are the conditions of the installments?
- Does the school require that books, materials and supplies be purchased from the school?
- Does the school address policies on withdrawal and cancellation?
- Do all the above policies in the catalog comply with Wisconsin Administrative Code, SPS Chapter 408?

In working through this section, it may be helpful to review the Enrollment Agreement Checklist (**EAP Form 1.06**) and the Sample Customer's Right to Cancel (**EAP Form 1.07**).

## >Program Outline & Subject Descriptions

A catalog should provide a complete picture of a program's length, the courses or topics required, the hours per week or clock hours required, and a description of what is covered. Students need to understand what is required to minimize the likelihood of withdrawal. The course catalog must make clear what is required in enough detail so that students are not surprised.

The catalog must provide a complete picture of each program offered. Each program description must include the following:

- Program name
- Program objectives
- Program length
- Required/elective subjects
- Subject descriptions (2-4 sentences)
- Subject lengths
- Total program cost

*NOTE: There is a separate section dedicated to fully covering program approval. Please see Section II: Initial Approval; Part B: Program Approval.*





## >Instructional Calendar

Part of designing a school and program is scheduling classes. School catalogs must contain a calendar, which spells out:

- The beginning and end dates for each session/term.
- The dates of holidays and vacations.
- The exam dates (if applicable).
- Any other significant dates.

## >Employment Advisory & Placement Services

While no school can guarantee employment for graduates, assistance in finding employment may be provided to students, particularly by schools that have a career or employment focus.

If a school decides to offer employment assistance services, the catalog should clearly define those services for students. The following questions can help a school define the extent and nature of those services:

- Will the school offer employment assistance services to students?
- What is the extent and nature of those services (career development, job search strategies, resume preparation, interviewing skills, etc.)?
- Will the school seek and list job opportunities and inquiries from employers as a brokering service?
- Are employers invited to interview and recruit at the school?
- What records are maintained and sent to employers?
- Are surveys of graduates and employers done so that data about placement and success is available to share with students?
- Is the school going to commit to a placement referral system for graduates including direct contact with employers, referrals, and record keeping on placement and success data?
- Does the school maintain records of completion rates and graduates' employment success?

## School Catalog Checklist

To help a school check whether all required elements are included in its school catalog, the EAP has developed a checklist (**EAP Form 1.05**). To make review as easy as possible, the EAP asks that the checklist be completed by listing the page where the catalog addresses each required element and submit it with the school catalog.

*NOTE: The checklist serves two purposes: It is a review for the school to ensure the catalog addresses all legal requirements; and it speeds the EAP's review by listing each page where the elements can be found.*



## **PART D: SUBMITTING A COMPLETE APPLICATION**

### **OVERVIEW**

Schools must verify the forms and documentation it is submitting. Once all material is received, the school will be contacted by the assigned EAP school administration consultant about the review process.

*NOTE: Initial school approval is granted from the date of approval to December 31 of the calendar year in which it is approved.*

### **Approval Checklist & Statement of Submission**

An application for school and program approval is not complete without all of the required information, documentation, and fees. Schools must confirm the information and documentation it is providing by using the Application Checklist and Statement of Submission (***EAP Form 1.11***).



## SECTION III: MAINTAINING APPROVAL

### PART A: ANNUAL RENEWAL

#### OVERVIEW

A school must renew its school and program approval annually. The EAP's renewal process requires schools to: 1] verify certain information, such as administrators and contacts; 2] provide financial information, including the amount of revenue generated by serving Wisconsin students; and 3] report student outcomes data. Periodically, the EAP may also conduct a site visit, which is further explained in Part B of this Section.

**Under the EAP's administrative rules, schools have a duty to report changes that affect their facilities, finances, programs and/or personnel.**

These processes are key elements for the EAP's regulatory cycle. Approved schools are part of this annual cycle and subject to its requirements. The EAP is including this section, which focuses on evaluation, data, and results, so that a school can fully know what is expected of them when renewing for school approval.

It is noted that the annual renewal, data collection, and site visit processes really complete the circle. These processes focus on the results of what happened after the school was first approved. Because the questions in each section of this guide focused on the evaluation processes of the school and program results, it is only fitting that the EAP regulatory cycle mirror that of schools by focusing on evaluation processes and program results: What happened to graduates and how are programs and other operational processes being improved so that next year's graduates are even better prepared?

The EAP's role is to create an oversight context that expects and encourages each school to improve its processes and student results. As the EAP continuously improves its processes, it should lead the way for each school to do the same. But as the EAP makes changes in requirements, specific items, and even in the forms themselves, schools will need to be flexible and adjust accordingly. While changes in the specifics will happen, the EAP's direction will remain constant: consumer protection, quality programming, and better student results.

This section highlights some of the key points that the EAP emphasizes in each of these processes. The information in this section is intended to provide a good picture of what to expect from the EAP during the annual regulatory cycle.

#### RENEWAL PROCESS

Initial school approval is granted from the date of approval to December 31 of the calendar year in which it is approved. Schools must renew their approval by September 1 for the coming calendar year as required under



SPS 404.01 (4) of the administrative rules. The annual renewal process is completed online and starts in mid-July when instruction information is sent to schools with a User ID and a Password.

To retain approval and remain in good standing, every “active” school must meet all requirements of the **renewal process** and pay all required fees. Active schools are those schools enrolling students. A school could choose to become "inactive" during the renewal process. This means the school approval is maintained, but the school cannot advertise or enroll students at any time during the year. A school may move from inactive to active status by paying the active status renewal fees.

**It is the EAP's job to create an oversight context that expects and encourages each school to improve its processes and student results.**

As part of the renewal process, schools will be asked to do the following:

- Verify and update general information about the school.
- Report the amount of revenue generated from Wisconsin students.
- Submit financial statements.
- Calculate the highest unearned tuition held by the school during the most recent 12-month repeating period.
- Provide student outcomes data.
- Verify employment/placement outcomes.
- Update institutional plans.
- Update program evaluation plans and performance data.
- Submit a renewal fee.

## **Student Outcomes Reporting**

Successful student outcomes result from a well-managed school, which delivers a quality education. Schools are required to report outcomes annually on the school renewal application. The reporting categories are: prior year continuing; new starts; drops/withdrawals; continuing next year; employed; program met expectations; and satisfied with the school.

## **PART B: SITE VISITS**

### **OVERVIEW**

**The long-term interest of the EAP's oversight and site visits is to strengthen a school's capacity to improve.**

Periodically, the EAP will visit a school. While these visits are to monitor for compliance with legal requirements, the long-term interest of the site visit is to strengthen the institution's own capacity to improve its internal processes, feedback loops and evaluation systems. This guide emphasizes the school as a whole and continually asks how it will know that what it is doing is effective for students. The EAP assumes that schools want to design ways to evaluate their students' success and methods to improve the school based on results data collected. The site visit is a way that the EAP can



work in partnership with the school to accomplish a common goal: to improve learning results and program outcomes for all students.

## SCHOOL VISIT PROCESS

An EAP school administration consultant will periodically visit a school to perform a general compliance review and ask questions regarding student progress, school policies and procedures, and program results. Schools are expected to have student records in order and up to date, including information on dropouts, attendance, student progress, refunds, graduates and placement.

**The school administration consultant will review the school file and data collected as part of the annual renewal process before a visit.**

The EAP views the annual renewal, data collection and site visit as part of the processes that ensure schools are effective. They are logical extensions of reinforcing the direction set in the approval process. A sample set of questions that will be the foundation of a school visit can be found in **Section V: Appendices**.

## TYPES OF VISITS

- *Comprehensive:* non-accredited schools generally will be visited every three years and accredited schools at the mid-point in accreditation cycle based on the last accreditation visit.
- *Annual:* an optional progress check of the school's institutional plan and goals, or specific issues, may be conducted.
- *New School:* schools that are not visited prior to approval generally will be visited within the first six months of operation, during the second year of operation, and then placed in a regular cycle.
- *Other:* a school visit may be triggered by a complaint or other concern and would likely be unannounced.

Prior to a school visit, the school's assigned school administration consultant will review the school file and the data collected as part of the annual renewal process. They will contact the school and arrange a date and interview schedule for the school visit. During the visit, EAP staff may interview administration, staff, and students; look at student records and the record keeping system; and will check compliance issues. Schools will receive a letter summarizing the findings of the school visit.

During a school visit, EAP staff may focus on the program outcomes data reported as part of the annual renewal. It is important that a school maintains accessible and easily tracked student financial and academic records. The EAP looks closely at outcomes, such as how many students completed each program and how many obtained employment in their field. As part of a visit, staff may also observe classes and talk with students and faculty.



## PART C: ADDING OR REVISING PROGRAMS

### OVERVIEW

A school is required to seek approval from the EAP each time that it adds a new program or revises an existing program by more than 25 percent.

### ADDING A NEW PROGRAM

Adding a new program will require the school to complete a program application (**EAP Form 1.03**), provide its program materials so they can be evaluated as to whether the program's curricula, learning experiences, instructional guides, texts, and assessment practices demonstrate the appropriate scope, sequence, and depth needed to prepare students for career enhancement and advancement; and pay the appropriate fee.

The program curricula should also show how a school's program prepares its students to meet the labor market need identified as part of its mission and goals.

### REVISING AN EXISTING PROGRAM

In order to review and approve revisions to an existing program, a school will be required to complete **EAP Form 1.03** and submit a subject-by-subject comparison of the currently approved program with the proposed program revision.

*NOTE: You will need to provide the name(s), title(s), and telephone number(s), including area code, of persons to contact should there be any questions about the program or application.*

## PART D: CHANGE OF OWNERSHIP OR CONTROL

### OVERVIEW

**The EAP must be notified at least 30 days in advance of any anticipated change in control or ownership.**

Since the EAP approves many private, for-profit schools, a change of ownership or control may happen. This is different from public or non-profit sector schools. When a school changes ownership or control, the transition can sometimes be destabilizing and disruptive for students. During an ownership transition, the EAP wants to ensure students are protected and program quality is maintained. To do so, the EAP statutes and administrative rules provide for specific oversight at this critical juncture. The purpose of the EAP's application for approval of a change of ownership/control is not to add undue burden to the new owner, but rather to ensure a stable and smooth transition is made, and that the new owner will meet the obligations of the prior owner to students enrolled at the time of the transaction.



## CHANGE OF OWNERSHIP OR CONTROL PROCESS

**If a school does not inform the EAP of a change of ownership within 10 business days after the legal transfer occurs, its approval from the EAP lapses.**

The administrative rules state that an approved school must notify the EAP at least 30 days before any anticipated change of ownership or control is to happen. The new owner/controlling interest then has 10 business days after the sale or transaction to notify the EAP; or the EAP approval for that school will end. If the new owners allow approval to lapse, the new owners would have to start the school approval process from the beginning and pay all applicable fees.

If a school makes a change of ownership or control, the school is required to submit fees as outlined on the fee schedule. This fee may be waived if the EAP determines only minimal effort was expended by EAP staff. Before submitting fees for a change of ownership or control, please contact the assigned EAP school administration consultant.

## REQUIREMENTS

At a minimum, the following information will need to be provided for a change of ownership or control:

- School Ownership, Governance and Management (**EAP Form 1.01**)
- Fiscal Soundness:
  - Balance Sheet – Assets, Liabilities & Equity
  - Income Statement
- Revised or New Surety Bond:
  - Surety Bond Calculation
  - Surety Bond Contract (**EAP Form 1.02**) for coverage under the new ownership.
- Change of ownership or control fee (contact the EAP)

*NOTE: If more extensive changes are made by a school, additional information may be needed.*



## SECTION IV: OTHER SCHOOL / EAP INFORMATION

### PART A: STUDENT COMPLAINTS

#### OVERVIEW

The EAP has authority under SPS 404.08 (2) of the administrative code to investigate complaints it receives about schools. Because every school is required to have a process to resolve complaints, persons generally must attempt to resolve matters of dispute with the school before filing a complaint with the EAB. In addition, complaints must be filed within one year after the student's last recorded date of attendance.

#### STUDENT COMPLAINT PROCESS

Upon receiving a complaint, the EAP will conduct an investigation. If findings indicate a statutory or administrative rule violation, or of an established school policy, the EAP will attempt, through mediation, to reach a settlement. If no settlement can be reached, the EAP may conduct a hearing and impose certain intermediate sanctions, or subject the school to a summary suspension of its approval. Persons filing a complaint should use the EAP's prescribed complaint form (**EAP Form 3.01**).

*NOTE: Under Wisconsin's Open Records Law (Wis. Stats., Ch. 19), complaints will generally be available for review on request from a member of the public after the EAB has acted.*

### PART B: SCHOOL CLOSURE

#### OVERVIEW

A school may cease operating for a variety of reasons -- revocation of approval, sale to a new owner, bankruptcy, retirement or death of an owner(s). These closures are either planned or unplanned. In a planned closing or revocation of approval, EAP staff is able to work with school officials to facilitate the closing. An unplanned closing creates uncertainty for all those involved. School closures involve many parties; however, the student is the party that is most adversely affected by a closure.

#### PLANNED CLOSURE

If the closure is planned, approval will be revoked after all actions involved in the closure have been completed. When a school plans a closing, school officials must communicate their plan to all parties concerned, including the EAP, current and former students; school staff; accrediting bodies; Closed School Unit at the U.S. Department of Education (where federal financial aid





is involved); and all affected lending agencies. It is advisable that the school provides each current and former student with a copy of their final transcript.

## **UNPLANNED CLOSURE**

In the event of an unplanned closure, the EAP will immediately revoke the approval of the school upon learning of the closure and notice will be provided to the school's surety bond company that the EAP intends to make a claim on the bond.

## **TEACH-OUT**

A teach-out is an arrangement for students to complete an EAP-approved program in which they were enrolled. The school that is closing may plan to teach-out its own students, or may arrange for students to complete at another school with the same or similar program. A teach-out should be offered with no additional charge to the student.

The school that is doing a planned closing must submit a teach-out plan to the EAP. The EAP will review and approve the plan before the teach-out is entered into. The closing school may want to enter into a written agreement with the school(s) that will conduct the teach-out. In an unplanned closure, the EAP may enter into a written agreement with the school(s) providing the teach-out.

The school that accepts the students determines what course(s)/credits it will accept from the closing school and may assess additional fees as appropriate. Ideally, these fees would be paid by the closing school since students have paid in full at that school, but may be covered by the EAP's student protection fund. In addition, EAP staff will facilitate the transfer of student records to the accepting school(s). Before records are transferred, the EAP generally will get authorization for the transfer of records from each student.

If the school that is closing is accredited, it may need approval from the accrediting body, as well as the U.S. Department of Education (USDOE) to enter into a teach-out or transfer of students to other institutions. The Closed School Unit of the USDOE deals with financial aid concerns of the students.

In the event that there is no teach-out opportunity for students, other options will need to be considered, such as refunds, transfer to a different program, completion via an online program or other options that may arise.

## **STUDENT RECORDS**

Schools generally have two types of student records under which all other records fall:



- *Academic Records:* Academic records should contain student information such as program of study, attendance records, grades, and transcripts.
- *Financial Records:* Financial records should contain information on program cost, how the student paid for the training, lender records, amounts paid to the school, and refund calculations, if applicable.

**The EAP has the authority to take possession of and maintain both student academic and financial records.**

The EAP will also assess the disposition of records. If a school does not have other satisfactory arrangements, the EAP has the authority to take possession of and maintain student academic and financial records. If a school participates in the federal financial aid program, the EAP will facilitate the transfer of financial records of those participating in the program to the Closed School Unit at the U.S. Department of Education.

Contact must be made and maintained with the property management staff in order to have access to the facility. The EAP has the authority to seek a court order if it is unable to obtain the records from school officials.

*NOTE: If records are incomplete, the EAP will make an effort to work with staff at the school to complete the records.*

## **PART C: EAP COMMUNICATIONS**

### **OVERVIEW**

The EAP understands that to achieve its mission and purpose, communication with prospective students, schools, state officials, and other interested parties is essential. It strives to provide current, up-to-date information at its website, with its publications, and at its board meetings and annual conference.

### **EAP WEBSITE**

**The EAP website provides real-time updates and the ability to get information about student outcomes data for each program a school offers.**

The EAP website provides comprehensive information about the agency and its regulatory functions. The information is targeted at students, schools, and employers. The following is a brief summary of the information available.

- *Students:* approved schools and programs, exempt school categories, school complaints, closed schools, and transcript requests.
- *Schools:* starting a school, school forms, the annual renewal process, annual conference, and other meetings.
- *Employers:* academic credentials, diploma and degree mills, and teacher certification.
- *Administration:* governing statutes and administrative rules, archive of newsletters, press releases, minutes of board meetings, administrative actions, board meetings, and strategic plan.



The EAP's website also provides users the ability to perform an interactive school and program search. Users can search the EAP's database using free-form text search. When viewing any particular school, users can find the same information that is contained in the directory (see below), with the added benefit of real-time updates and the ability to get information about student outcomes data for each program a school offers. Users of the website also have the ability to explore which occupations different programs prepare students for by linking to data from the federal Bureau of Labor Statistics.

## DIRECTORY OF APPROVED SCHOOLS

The *Wisconsin Directory of Private Postsecondary Schools* is designed to inform prospective students and other interested persons about the education and training programs available from EAP-approved schools. Produced annually, the directory lists all EAP-approved schools, as of the production date, including contact information, a brief school summary, sites of campuses and teaching locations, program offerings, a student profile and financial aid availability information.

Electronic copies of the directory are distributed to high school guidance offices, Wisconsin Educational Opportunity Program sites, workforce development boards, county veteran service offices, selected libraries, state legislators, and other state agency officials. The directory can also be accessed from the EAP's website.

## BOARD MEETINGS

The EAP board generally meets quarterly in the months of March, June, September, and December of each year. Meetings are open to the public and schools are encouraged to attend.

The agenda and materials for upcoming board meetings are generally posted online one-week *prior* to the date of the meeting. Minutes from past board meetings are posted online *after* they have been approved at a subsequent board meeting.

## ANNUAL APPROVED SCHOOLS CONFERENCE

**The EAP annual conference is an opportunity for important policy and regulatory information to be shared with the schools.**

The EAP hosts an annual conference for approved schools as a way to bring together staff from the EAB, school owners and officials, and other interested parties to share information, facilitate proactive collaborative relationships, and improve educational outcomes.

Held generally on either the second or third Thursday in November, schools are strongly encouraged to send at least one representative to attend the conference and learn about regulatory issues relevant to EAP approval, as well as other issues related to postsecondary education.



## SECTION V: APPENDICES

### Fee Schedule

#### Initial School Approval

One non-degree program	\$ 2,000
One associate program	\$ 2,500
One baccalaureate program	\$ 3,300
One master's program	\$ 3,900
One doctoral program	\$ 5,100

#### Initial Distance Learning School Approval

Cost of the highest degree program offered (see above listing) plus \$500 for each additional program	\$ 500
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#### New/Revised Program

Non-degree program	\$ 1,500
Associated degree program	\$ 2,000
Baccalaureate degree program	\$ 3,000
Master's degree program	\$ 3,500
Doctoral program	\$ 4,500
Distance learning online program	\$ 500

#### Application Revision

Minor revisions	\$ 200
Major revisions	\$ 1,000

#### Additional Teaching Location

Each additional location	\$ 200
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#### Change of Ownership or Control

Each change	\$ 1,000
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#### School Representative's Permit

Each permit	\$ 200
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## Sample School Visit Questions

Schools can expect to be asked the following types of questions during a comprehensive site visit by its assigned school administration consultant.

### > Consumer Protection

- Does the school's refund policy conform to the principles of those listed in administrative rules, and how are students informed about the school's refund policy?
- How many students used the refund policy last year and how did the school's process work?
- Is the school properly bonded?
- How does the school advertise and recruit, and does the school truthfully and fairly represent the school's program to students?
- Does the school's catalog or student handbook clearly explain to students the school's policies and its operation so students can make an informed choice?
- Does the catalog meet the basic requirements outlined in Wisconsin Administrative Code, SPS Chapter 4.03(2)?

### > Mission/Reason for Being

- Does the school's mission clearly identify an employment objective or educational benefit for its adult population?
- Does the school's mission serve as the basis for program development, student assessment, ongoing program evaluation, and institutional self-improvement?

### > Admissions/Student Retention

- Why are the school's admission requirements set as they are, and how do they help in student selection for and retention in programs?
- How are admission requirements consistent with the mission and program objectives?
- What is the school's retention rate over the last five years, and how has the school attempted to raise it?

### > Curricula

- How do the written curricula accomplish the stated mission?
- Do the programs meet current industry/workplace standards, and how does employer/industry feedback affect curricula annually and on an ongoing basis?
- Are student performance standards clearly communicated to students, and has faculty built an assessment system based on the standards?



- How does the school and its faculty change curricula according to feedback like student satisfaction, industry standards, employer satisfaction, graduate follow-up studies and new research/ developments?
- Do the curricula involve students in an active, hands-on approach?

### **> Instructional Personnel**

- How do the school's recruitment, selection, orientation and supervision processes ensure the school has quality instructors/teachers?
- How does the school ensure that instructional personnel know the student performance standards and can provide appropriate feedback to students about how well they demonstrate mastery and application of those standards?
- How does the school involve instructional personnel in evaluating learning success of students and in the effectiveness of overall programs?

### **> Student Services**

- How does the school know whether students are receiving adequate advising, counseling, and placement services so students can benefit fully from the instructional program?
- What is the complaint process students can use, is it used and what are the results for students?

### **> Management**

- Does management have clear plans with defined goals, strategies, and time frames for achieving those goals, and budgets/resources to fund the activities?
- How has management assured that staff throughout the organization understands organizational plans and have effective communication channels to discuss the organizational direction?
- When was the institution's last accreditation visit evaluation, and what has been done to implement the recommendations made?
- Are there institutional changes that have been made outside the accreditation process? What are they and what is their impact on improving student success?

### **> Financial Soundness and Stability**

- Has the organization planned to have sufficient income to maintain a high-quality program and to complete the instruction of all enrollees?
- What is the systematic process of financial planning and budgeting?
- Does the institution annually undergo an objective audit by an independent accountant/accounting firm?



- Have the school's processes for refunds and cancellation been evaluated for accuracy and effectiveness, and how are they working for students?

**> Evaluation**

- How are students assessed and learning progress recorded, and what is the school's process to evaluate its effectiveness?
- Are students satisfied with the program and instructors, and how does the school gather and use this data?
- How does the school know whether employers are satisfied with graduates' knowledge and skills?
- Does the school have a placement process? How well does it work for graduates?
- How does the school do graduate follow-up studies and use retrieved data for program improvement?
- How has management planned for and evaluated the success of Wisconsin students?



## Table of Forms

School Operations and Governance .....	Form 1.01
Surety Bond .....	Form 1.02
Program Application .....	Form 1.03
Background of Instructor .....	Form 1.04
School Catalog Checklist .....	Form 1.05
Enrollment Agreement Checklist .....	Form 1.06
Customer's Right to Cancel.....	Form 1.07
Teaching Location .....	Form 1.08
Representative Permit Application .....	Form 1.09
Institutional Planning .....	Form 1.10
Approval Checklist and Statement of Submission .....	Form 1.11
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Balance Sheet Template .....	Form 2.01
Income Statement Template .....	Form 2.02
Compliance and Institutional Assessment.....	Form 2.03
Employment Verification.....	Form 2.05
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Student Complaints.....	Form 3.01
Student Records Request .....	Form 3.02