

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

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IN THE MATTER OF THE	:
APPRENTICESHIP PERMIT OF	:
	:
KIP A. SHUDA,	:
APPLICANT	:

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FINAL DECISION AND ORDER

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The parties to this matter are:

Kip A. Shuda  
Shuda Funeral Chapel  
3100 Stanley Street  
Stevens Point, WI 54481

Funeral Directors Examining Board  
1400 East Washington Avenue  
Madison, WI 53703

**PROCEDURAL HISTORY**

On or about May 21, 2007, the Funeral Directors Examining Board denied the request of Kip A. Shuda to renew his funeral director apprenticeship permit. A Notice of Denial was subsequently sent to Mr. Shuda. Thereafter, Mr. Shuda requested a hearing on his denial.

A hearing in the above-captioned matter was held on August 7, 2007, before the Funeral Directors Examining Board. Mr. Shuda appeared in person, *pro se*.

The Funeral Directors Examining Board, having held a hearing on the renewal of Mr. Shuda's apprenticeship permit and having considered the entire record in this matter, makes the following Findings of Fact, Conclusions of Law, and Order.

**FINDINGS OF FACT**

1. Mr. Shuda was initially granted a funeral director apprenticeship permit on June 1, 1988. The permit was renewed in 1989.
2. On December 20, 1999, Mr. Shuda again registered for and received a funeral director apprenticeship permit.
3. Mr. Shuda's apprenticeship permit remained current until December 31, 2006.
3. To date, Mr. Shuda has not submitted any evidence that he has completed the requirements of a funeral director apprentice.

**CONCLUSIONS OF LAW**

1. The Funeral Directors Examining Board has jurisdiction in this matter pursuant to §§ 445.03, 445.095, and 445.10, Wis. Stats.
2. By failing to demonstrate that he has completed the requirements of a funeral director apprentice within five years, Mr.

Shuda is ineligible for an extension of his apprenticeship permit under § 445.095 (4), Wis. Stats.

### **ORDER**

**NOW THEREFORE IT IS HEREBY ORDERED** that the renewal request of Kip A. Shuda for a funeral director apprenticeship permit is **DENIED**.

### **OPINION**

Section 445.095 (4), Wis. Stats., sets forth the requirements that an apprentice funeral director must complete during the term of his apprenticeship. Under that provision, all the required work of an apprentice must be completed within four (4) years from the date of registering as an apprentice. However, the Funeral Directors Examining Board may grant an extension under that section, not to exceed one year, upon a showing of good cause. In addition, s. 445.10 (7), Wis. Stats., provides that not more than two reregistrations for a funeral director apprenticeship are allowed. Furthermore, under s. RL 1.08 (4), Wis. Admin. Code, an applicant has the burden of proof to show the credentialing authority, in this case, the Funeral Directors Examining Board, that he has met the eligibility requirements for the credential.

Mr. Shuda has failed to meet his burden. He has held a funeral director apprenticeship permit for approximately seven years. During that time, he has failed to submit any material to the Board that demonstrates he has completed the requirements of an apprenticeship. The record demonstrates that Mr. Shuda has already been given multiple extensions and at least one reregistration of his apprenticeship permit. However, he has submitted no evidence of having completed the requirements under the apprenticeship permit. Given that Mr. Shuda has been given multiple extensions and at least one reregistration, and has failed to satisfy the requirements under his apprenticeship, the Board may not renew his apprenticeship permit. His request for the renewal of his apprenticeship permit has therefore been denied.

**APPEAL INFORMATION**

The applicant's right to request rehearing and for judicial review are set forth in the enclosed "Notice of Appeal Information".

Dated this 14<sup>th</sup> day of August, 2007, at Madison, Wisconsin.

STATE OF WISCONSIN  
FUNERAL DIRECTORS EXAMINING BOARD

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David Olsen  
Chairperson