



# KANSAS BOARD OF REGENTS

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Private Postsecondary Education - 1000 SW JACKSON • SUITE 520 • TOPEKA, KS 66612-1368

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TELEPHONE – 785-296-4917  
FAX – 785-296-4526  
[www.kansasregents.org](http://www.kansasregents.org)

A Warm Welcome,

Thank you for your interest in the requirements of operating a private school in Kansas. Anyone wishing to establish or purchase an institution in the State of Kansas must apply for a certificate of approval. The following forms are needed to complete the application process to submit for a certificate of approval from Kansas Board of Regents. Included are the state statutes, Kansas Private and Out-of-State Education Institution Act of 2004 governing schools, and Article 28 is the Regulation to accompany the law.

The check sheet will guide you through the necessary steps in completing the process. The application is to be completed and returned along with the supporting materials, and the application fee. Please include the names and addresses of at least three businesses/persons to contact as references. You may include more if you wish. They will be contacted by mail and asked to send a confidential letter of reference stating their knowledge of your institution.

When your application is received, the programs and all aspects of your application will be thoroughly reviewed. Degree granting programs will be reviewed then presented to the Board of Regents at a monthly meeting for approval. This process typically will take no less than 60 days from application receipt.

A school bond in the amount of \$20,000 is required; however, this should not be completed by your bonding company until the effective date is determined by the Kansas Board of Regents. Please include a copy of the intent letter from your bonding company.

Anyone promoting your school or soliciting enrollment in the State of Kansas must be registered as a representative. The fee for each representative must be included. **No certificate will be issued until all requested material is received.**

We encourage you to contact us with your questions. My staff looks forward to working with your institution and encourages your questions. We can be reached via e-mail or phone at the following contact numbers: Jacqueline G. Johnson, [jjohnson@ksbor.org](mailto:jjohnson@ksbor.org) or 785-296-4917, Naomi Adams at [nadams@ksbor.org](mailto:nadams@ksbor.org) or 785-296-3422.

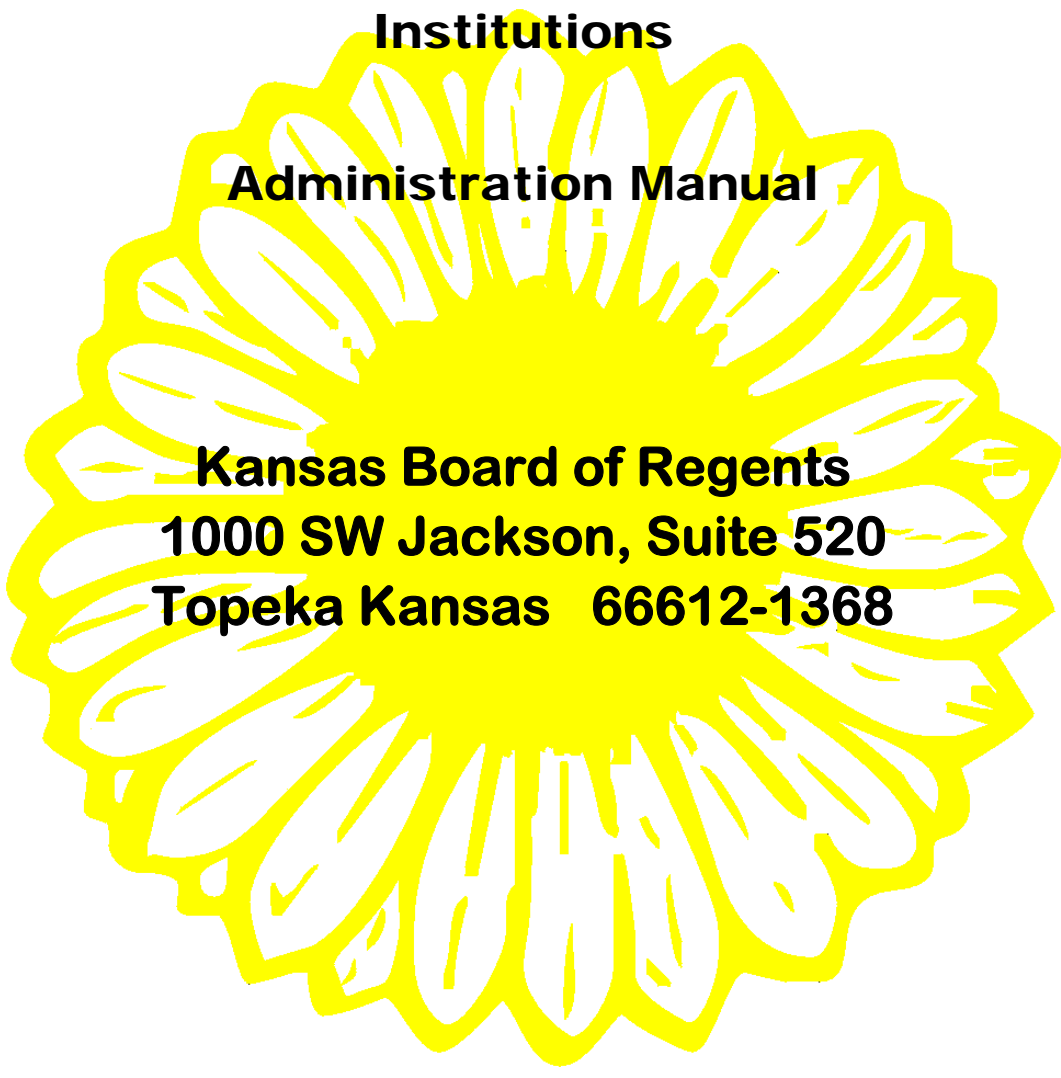
Respectfully yours,

Jacqueline G. Johnson.  
Director of Private Postsecondary Education  
Kansas Board of Regents

Private Postsecondary

Institutions

Administration Manual



**Kansas Board of Regents  
1000 SW Jackson, Suite 520  
Topeka Kansas 66612-1368**

**2004 Law  
Regulation Article 28**

## **Definition of Representative:**

“Representative” means any person employed by an institution to act as an agent, solicitor or broker to procure students or enrollees for the institution by solicitation within this state at any place other than the office or a place of business of the institution.

## **The Ethical Conduct of Representatives:**

In many instances the Representative is the first personal contact between the school and the prospective student. The Representative must project an image which is a true representation of the school and is, therefore, expected to:

1. Have a thorough understanding of the school, its course offerings, facilities, and administrative policies and staff qualifications.
2. be completely familiar with the requirements and limitations of the Kansas Private and Out-of-State Postsecondary Educational Institution Act (K.S.A.74-32,162 *et seq.*) and the Rules and Regulations pertaining to such law.
3. Carefully explain to the prospective student that, in addition to course completion, certain positions require that a state or federal examination be passed and a license be obtained prior to employment.
4. Cultivate a highly professional working relationship with school officials, such as superintendents, principals, counselors and teachers when contacting prospective students who are enrolled in their schools.
5. Abstain from discrediting other schools by any derogatory comments.
6. Make no attempt to encourage a student to withdraw from a school he or she is attending or to change plans after signing an application and paying the registration fee to another school.
7. Refrain from exaggerating prospects concerning job and wage opportunities available.
8. Provide to the applicant a copy of the enrollment agreement and a receipt for any money collected.
9. Conduct himself/herself in a highly professional and ethical manner at all times.

## **Accountability of Schools for Actions of Representatives:**

In many instances the Representative is the first personal contact between the school and the prospective student. The Representative must project an image which is a true representation of the school and is, therefore, expected to:

1. There will be no solicitation of student enrollment through Representatives, advertising, mail, circulars or other means until the school has obtained a Certificate of Approval from the Kansas Board of Regents.
2. No person may represent a school until he/she is registered in accordance with K.S.A. 74-32,174.
3. Officers or other school personnel may engage in the enrollment of students on the school premises without securing a Representative Registration. Anyone soliciting students not on the school premises must have a Representative Registration.
4. Each school is responsible for informing its Representatives of courses, services, prices, terms and operating policies of the school.
5. The school must notify the Kansas Board of Regents in writing if a Representative is dismissed or resigns. Every effort should be made to return the Representative Registration to the Kansas Board of Regents.
6. Each school is fully responsible for statements, actions and conduct of its Representatives. School administrators must instruct each Representative of his/her responsibility and accountability under the Kansas law and rules and regulations.

7. No school or its Representative shall imply or advertise that their school is “enforced” or “recommended” by the Kansas Board of Regents. If any reference is made to the Certificate of Approval is issued by the Board, the reference shall read, “Approved by the Kansas Board of Regents.”
8. No owner, partner, officer, employee or Representative acting on behalf of the school shall make any fraudulent statement, misleading statement of fact or misrepresentation.
9. No guarantee of placement or certain wages for graduates will be promised or implied by any school or Representative.
10. No negotiation or assignment of any promissory instrument received in payment of tuition or other charges shall be made without an endorsement stating: “Any holder takes this instrument subject to the terms and conditions of the contract which gave rise to the debt evidenced thereby.”
11. It shall be the responsibility of any official Representative of the school to follow these rules:
  - (a) Determine, with reasonable certainty, that a prospective student for enrollment is fully informed regarding the nature of the course he/she wishes to take and what the training can reasonably be expected to do for him/her.
  - (b) Determine, with reasonable certainty, that a prospective student is fully informed as to his/her obligations and responsibilities and his/her rights under the signed contract.
  - (c) Establish qualifications which an enrollee must possess to enable him/her to successfully assimilate the course of instruction offered. The school shall further determine, with reasonable certainty, prior to the acceptance of the student enrollment that he/she is properly qualified to take training for which he/she is applying.
  - (d) Determine that the prospective student has no handicap (physical or otherwise) which could prevent successful on-the-job performance after completing the course of instruction.
  - (e) Keep records of all contacts and correspondence for any applicant accepted for enrollment who does not meet normal qualifications for acceptance, so such action can be justified to the Kansas Board of Regents, if so requested.

## **Kansas private and out-of-state postsecondary educational institution act**

**74-32,162.** 74-32, 162 through 74-32, 183 shall be known and may be cited as the Kansas private and out-of-state postsecondary educational institution act.

### **DEFINITIONS**

**74-32,163.** As used in the Kansas private and out-of-state postsecondary educational institution act:

- (a) “Academic degree” means any associate, bachelor’s, first professional, master’s, intermediate (specialist) or doctor’s degree.
- (b) “Accreditation” means an accreditation by an agency recognized by the United States department of education.
- (c) “Branch campus” means any subsidiary place of business maintained within the state of Kansas by an institution at a site which is separate from the site of the institution’s principal place of business and at which the institution offers a course or courses of instruction or study identical to the course or courses of instruction or study offered by the institution at its principal place of business.
- (d) “Commission” means the advisory commission on private and out-of-state postsecondary educational institutions established pursuant to this act.
- (e) “Distance education” means any course delivered primarily by use of correspondence study, audio, video or computer technologies.
- (f) “Out-of-state postsecondary educational institution” means a postsecondary educational institution chartered, incorporated or otherwise organized under the laws of any jurisdiction other than the state of Kansas.
- (g) “Institution” means an out-of-state or private postsecondary educational institution.
- (h) “Institution employee” means any person, other than an owner, who directly or indirectly receives compensation from an institution for services rendered.
- (i) “Owner of an institution” means:(1) In the case of an institution owned by an individual, that individual;(2) in the case of an institution owned by a partnership, all full, silent and limited partners; (3) in the case of an institution owned by a corporation, the corporation, its directors, officers and each shareholder owning shares of issued and outstanding stock aggregating at least 10% of the total of the issued and outstanding shares; and (4) in the case of an institution owned by a limited liability company, the company, its managers and all its members.
- (j) “Person” means an individual, firm, partnership, association or corporation.
- (k) “Physical presence” means the employment in Kansas of a Kansas resident for the purpose of administering, coordinating, teaching, training, tutoring, counseling, advising or any other activity on behalf of the institution, or the delivery of, or the intent to deliver, instruction in Kansas with the assistance from any entity within the state in delivering the instruction including, but not limited to, a cable television company or a television broadcast station that carries instruction sponsored by the institution.
- (l) “Private postsecondary educational institution” means an entity which:(1) Is a business enterprise, whether operated on a profit or not-for profit basis, which has a physical presence within the state of Kansas or which solicits business within the state of Kansas;(2) offers a course or courses of instruction or study through classroom contact or by distance education, or both, for the purpose of training or preparing persons for a field of endeavor in a business, trade, technical or industrial occupation or which offers a course or courses leading to an academic degree; and(3) is not specifically exempted by the provisions of this act.
- (m) “Representative” means any person employed by an institution to act as an agent, solicitor or broker to procure students or enrollees for the institution by solicitation within this state at any place other than the office or a place of business of the institution.
- (n) “State board” means the Kansas board of regents or the board’s designee.

- (o) “Support” or “supported” means the primary source and means by which an institution derives revenue to perpetuate operation of the institution.
- (p) “University” means a postsecondary educational institution authorized to offer bachelor degrees together with graduate or first professional degrees.
- (q) “State educational institution” means any state educational institution as defined by K.S.A. 76-711, and amendments thereto.
- (r) “This act” means the Kansas private and out-of-state postsecondary educational institution act.

## **EXEMPTIONS**

**74-32,164.** The Kansas private and out-of-state postsecondary educational institution act shall not apply to:

- (a) An institution supported primarily by Kansas taxation from either a local or state source;
- (b) an institution or training program which offers instruction only for avocational or recreational purposes as determined by the state board;
- (c) a course or courses of instruction or study, excluding degree granting programs, sponsored by an employer for the training and preparation of its own employees, and for which no tuition or other fee is charged to the student;
- (d) a course or courses of instruction or study sponsored by a recognized trade, business or professional organization having a closed membership for the instruction of the members of the organization, and for which no tuition or other fee is charged to the student;
- (e) an institution which is otherwise regulated and approved under any other law of this state;
- (f) a course or courses of special study or instruction having a closed enrollment and financed or subsidized on a contract basis by local or state government, private industry, or any person, firm, association or agency, other than the student involved;
- (g) an institution financed or subsidized by federal or special funds which has applied to the state board for exemption from the provisions of this act and which has been declared exempt by the state board because it has found that the operation of such institution is outside the purview of this act;
- (h) the Kansas City college and bible school, inc.; and
- (i) any postsecondary educational institution which was granted approval to confer academic or honorary degrees by the state board of education under the provisions of K.S.A. 17-6105 prior to its repeal.

## **POWERS RULES AND REGULATIONS**

**74-32, 165.**

- (a) The state board may adopt rules and regulations for the administration of this act. Prior to the adoption of any such rules and regulations, the state board shall afford the advisory commission an opportunity to make recommendations thereon.
- (b) Specific standards shall be set for determining those institutions which qualify for approval to confer or award academic degrees. Such standards shall be consistent with standards applicable to state educational institutions under the control and supervision of the state board
- (c) The state board shall maintain a list of institutions that have been issued a certificate of approval.
- (d) Any state agency having information which will enable the state board to exercise its powers and perform its duties in administering the provisions of this act shall furnish such information when requested by the state board.

## **ADVISORY COMMISSION**

### **74-32, 166.**

- (a) The advisory commission on private and out-of-state postsecondary educational institutions is hereby created. The commission shall consist of nine members appointed by the state board. Except as provided by this section, members shall be appointed for terms of four years. Vacancies shall be filled by the state board for the unexpired term. Five members of the commission shall be owners or managers of private postsecondary educational institutions, at least two of the five members shall represent institutions, which at the time of appointment of such members, have enrollments of under 125 students, and at least one shall represent a degree granting institution. Four members shall be selected from among persons representing: Secondary schools, postsecondary schools, business and industry, members of the employment community, economic development interests of the state and health occupations.
- (b) The commission shall elect one member as chairperson of the commission and such other officers as may be necessary.
- (c) The commission shall meet at least once annually in Topeka during the month of October, and shall conduct special meetings on the call of the chairperson or the state board or at the request of at least four members of the commission.
- (d) Members attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, shall be paid amounts provided in subsection (e) of K.S.A. 75-3223, and amendments thereto.
- (e) A majority of the commission is a quorum to conduct business, but no less than four members must concur to pass upon any matter before the commission.
- (f) The commission may recommend to the state board such policies, minimum standards and rules and regulations that the commission deems necessary for administering the provisions of this act.

## **CERTIFICATE OF APPROVAL**

### **74-32,167.**

- (a) No institution may operate within this state without obtaining a certificate of approval from the state board as provided in this act. No institution shall confer or award any degree, whether academic or honorary, unless such institution has been approved for such purpose by the state board of regents.
- (b) Any contract entered into by or on behalf of any owner, employee or representative of an institution which is subject to the provisions of this act, but which has not obtained a certificate of approval, shall be unenforceable in any action.

## **APPLICATION**

### **74-32,168.**

Each institution shall apply to the state board for a certificate of approval. An institution shall not be required to obtain a separate certificate of approval for maintenance of any branch institution.

- (a) An application for a certificate of approval shall be made on a form prepared and furnished by the state board and shall contain such information as may be required by the state board.
- (b) The state board may issue a certificate of approval upon determination that an institution meets the standards established by the state board. The state board may issue a certificate of approval to any institution accredited by a regional or national accrediting agency recognized by the United States department of education without further evidence.

## **STANDARDS**

**74-32,169.** The state board shall issue a certificate of approval to an institution when the state board is satisfied that the institution meets minimum standards established by the state board by adoption of rules and regulations to insure that:

- (a) Courses, curriculum and instruction are of such quality, content and length as may reasonably and adequately ensure achievement of the stated objective for which the courses, curriculum or instruction are offered;
- (b) institutions have adequate space, equipment, instructional material and personnel to provide education and training of good quality;
- (c) educational and experience qualifications of directors, administrators and instructors are such as may reasonably insure that students will receive instruction consistent with the objectives of their program of study;
- (d) institutions maintain written records of the previous education and training of students and applicant students, and that training periods are shortened when warranted by such previous education and training or by skill or achievement tests;
- (e) a copy of the course outline, schedule of tuition, fees and other charges, settlement policy, rules pertaining to absence, grading policy and rules of operation and conduct are furnished to students upon entry into class;
- (f) upon completion of training or instruction, students are given certificates, diplomas or degrees as appropriate by the institution indicating satisfactory completion of the program;
- (g) adequate records are kept to show attendance, satisfactory academic progress and enforcement of satisfactory standards relating to attendance, progress and conduct;
- (h) institutions comply with all local, state and federal regulations;
- (i) institutions are financially responsible and capable of fulfilling commitments for instruction;
- (j) institutions do not utilize erroneous or misleading advertising, either by actual statement, omission or intimation; and
- (k) institutions have and maintain a policy, which shall be subject to state board approval, for the refund of unused portions of tuition, fees and other charges if a student enrolled by the institution fails to begin a course or withdraws or is discontinued there-from at any time prior to completion. Such policies shall take into account those costs of the institution that are not diminished by the failure of the student to enter or complete a course of instruction.

## **CERTIFICATE FORM**

**74-32,170.**

- (a) After review of an application for a certificate of approval and if the state board determines that the institution meets the requirements of this act, the state board shall issue a certificate of approval to the institution. Certificates of approval shall be in a form specified by the state board. Certificates of approval shall state:(1) The date of issuance and term of approval;(2) the correct name and address of the institution;(3) the signature of the chief executive officer of the Kansas board of regents or a person designated by the state board to administer the provisions of this act; and(4) any other information required by the state board.
- (b) Certificates of approval shall be valid for a term of one year.
- (c) Each certificate of approval shall be issued to the owner of an institution and shall not be transferable. If a change in ownership of an institution occurs, the new owner shall apply within 30 days prior to the change in ownership for a new certificate of approval. The state board may waive the thirty-day requirement upon determination that an emergency exists and that the waiver and change in ownership would be in the best interests of students currently enrolled in the institution. Whenever a change in ownership occurs as a result of death, court order or operation of law, the new owner shall apply immediately for a new certificate of approval.

- (d) At least 60 days prior to expiration of a certificate of approval, the state board shall forward to the institution a renewal application form.
- (e) Any institution which is not yet in operation when its application for a certificate of approval is filed shall not accept payments for tuition, fees or other enrollment charges until receipt of the certificate of approval.
- (f) Any institution which does not plan to renew a certificate of approval shall notify the state board of its intent not to renew at least 60 days prior to the expiration date of the certificate of approval.

## **CERTIFICATE OF APPROVAL DENIAL**

### **74-32,171.**

- (a) After review of an application for a certificate of approval and if the state board determines that the applicant does not meet the requirements of this act, the state board shall refuse to issue the certificate and set forth the reasons for the determination.
- (b) If an applicant, upon written notification of refusal by the state board to issue a certificate of approval, desires to contest such refusal, the applicant shall notify the state board in writing, within 15 days after the date of service of such notice of refusal, of the desire to be heard. Such applicant shall be afforded a hearing in accordance with the provisions of the Kansas administrative procedure act. Upon conclusion of any such hearing, the state board shall issue a certificate of approval or a final refusal to do so.
- (c) If an applicant, upon service of notice of refusal by the state board to issue a certificate of approval, fails to request a hearing within 15 days after the date of service of such notice of refusal, the state board's refusal shall be final.

## **CERTIFICATE OF APPROVAL REVOKED**

### **74-32,172.**

- (a) The state board may revoke a certificate of approval or impose reasonable conditions upon the continued approval represented by a certificate. Prior to revocation or imposition of conditions upon a certificate of approval, the state board shall give written notice to the holder of the certificate of the impending action setting forth the grounds for the action contemplated to be taken and affording a hearing on a date within 30 days after the date of such notice. Hearings under this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act.
- (b) A certificate of approval may be revoked or conditioned if the state board has reasonable cause to believe that the institution is in violation of any provision of this act or of any rules and regulations adopted under this act.

**74-32,173.** Any action of the state board pursuant to sections 10,11 or 12, and amendments thereto, is subject to review in accordance with the act for judicial review and civil enforcement of agency actions. If it appears to the state board on the basis of its own inquiries or investigations or as a result of a complaint that any provision of this act has been or may be violated, the state board may request the attorney general to institute an action enjoining such violation or for an order directing compliance with the provisions of this act.

## **REGISTRATION OF REPRESENTATIVES**

### **74-32,174.**

- (a) Each representative of an institution shall register with the state board. Application for registration may be made at any time on a form prepared and furnished by the state board and shall contain such information as may be required by the state board.
- (b) Registration of a representative shall be effective upon receipt of notice from the state board and shall remain in effect until expiration of the certificate of approval of the institution employing

such representative. Renewal of representative registration shall be in accordance with the renewal application form forwarded to the institution by the state board.

- (c) Denial or revocation of registration of a representative by the state board shall be in accordance with the provisions of this act applicable to denial or revocation of a certificate of approval.
- (d) A representative employed by more than one institution shall not be required to register for each institution when such institutions have a common ownership.

## **BOND REQUIREMENT**

### **74-32,175.**

- (a) Before a certificate of approval is issued under this act, a bond in the penal sum of \$20,000 shall be provided by the institution for the period for which the certificate of approval is to be issued. The obligation of the bond shall be that the institution and its officers, agents, representatives and other employees shall be bound, upon closure of the institution, to deliver or make available to the state board the records of all students who are in attendance at the institution at the time of closure or who have attended the institution at any time prior to closure. The bond shall be a corporate surety bond issued by a company authorized to do business in this state. The bond shall be filed with the state board. If the institution ceases operation, the state board may recover against the bond all necessary costs for the acquisition, permanent filing and maintenance of student records of the institution.
- (b) In lieu of the corporate surety bond required under subsection(a), an institution may provide any similar certificate or evidence of indebtedness or insurance as may be acceptable to the state board if such certificate or evidence of indebtedness or insurance is conditioned that the requirements of subsection (a) shall be met.

## **ADVANCE TUITION PAYMENT**

### **74-32,176.**

- (a) Subject to the provisions of subsection, no tuition in an amount greater than \$350 shall be collected from a student by any institution more than 30 days before the student receives classroom instruction, and not more than \$150 of such amount may be retained by an institution from any student who fails to enter the institution.
- (b) In the case of distance education, no tuition in an amount greater than \$200 shall be collected from a student prior to the first submission of a lesson by the student, and not more than \$75 of such amount maybe retained by an institution from any student who fails to enter the institution.

## **PROHIBITIONS AND PENALTIES**

### **74-32,177.**

- (a) No person shall:
  - (1) Operate an institution without a certificate of approval;
  - (2) solicit prospective students without being registered as required by this act;
  - (3) accept contracts or enrollment applications from a representative who is not registered as required by this act;
  - (4) use fraud or misrepresentation in advertising or in procuring enrollment of a student;
  - (5) use the term “accredited” in the name or advertisement of the institution unless such institution is accredited as defined in this act; and
  - (6) use the term “university” in the name or advertisement of the institution unless such institution is a university as defined by this act.
- (b) Violation of any provision of subsection (a) or of any other provision of this act is a class C nonperson misdemeanor.

**INJUNCTION AND CIVIL PENALTY**

**74-32,178.** Upon application of the attorney general or a county or district attorney, a district court shall have jurisdiction to enjoin any violation of this act and to enjoin persons from engaging in business in this state. In any action brought to enforce the provisions of this act, if the court finds that a person willfully used any deceptive or misleading act or practice, the attorney general or a county or district attorney, upon petition to the court, may recover on behalf of the state, in addition to the criminal penalties provided in this act, a civil penalty not exceeding \$1,000 for each violation. For purposes of this section, a willful violation occurs when the person committing the violation knew or should have known that the conduct of the person consisted of acts or practices which were deceptive or misleading

**74-32,179.** Any note or contract taken by any institution or its officers, directors, agents or representatives, without having complied with the provisions of this act, shall be null and void and any person who has entered into a contract with such institution or its officers, directors, agents or representatives shall be entitled to a full refund of the money or consideration paid plus interest accruing from the date of payment at a rate per annum equal to the rate specified in K.S.A. 16-207, and amendments thereto, together with other damages sustained by such person.

**74-32,180.** Whenever any institution negotiates any promissory instrument or note received from a student or on behalf of a student as payment of tuition or other fees charged by each institution, any person or assignee or holder to whom the instrument or note is assigned shall take such instrument or note subject to all defenses which would be available to the student from whom or on behalf of whom the instrument or note was received.

**FEE REQUIREMENTS**

**74-32,181.**

(a) The state board shall fix, charge and collect fees for certificates of approval, registration of representatives and providing transcripts to students who attended an institution that has ceased operation by adopting rules and regulations for such purposes, subject to the following limitations:

For institutions domiciled or having their principal place of business within the state of Kansas:

- Initial issuance of certificate of approval non degree granting—not more than . \$1,700
- Initial issuance of certificate of approval degree granting — not more than . . . . \$2,000
- Renewal of certificate of approval non degree granting — not more than . . . . \$1,200
- Renewal of certificate of approval degree granting — not more than.....\$1,600
- Initial registration of representative— not more than..... \$150
- Annual renewal of registration of representative — not more than ..... \$100

For institutions domiciled or having their principal place of business outside the state of Kansas:

- Initial issuance of certificate of approval non degree granting—not more than.....\$3,400
- Initial issuance of certificate of approval degree granting — not more than.....\$3,800
- Renewal of certificate of approval non degree granting — not more than . . . . . \$2,400
- Renewal of certificate of approval degree granting — not more than . . . . . \$2,800
- Initial registration of representative— not more than. . . . . \$300
- Annual renewal of registration of representative — not more than . . . . . \$200
- Student transcript from institution that has ceased operation—not more than . . . \$10.00

(b) The state board shall determine on or before June 1 of each year the amount of revenue which will be required to properly carry out and enforce the provisions of the Kansas private and out-of-state postsecondary educational institution act for the next ensuing fiscal year and shall fix the fees authorized for such year at the sum deemed necessary for such purposes within the limits of this section. Prior to adoption of any such fees, the state board shall afford the advisory commission an opportunity to make recommendations on the proposed fees.

(c) Fees may be charged to conduct onsite reviews for degree granting or to review curriculum in content areas where the state board does not have expertise.

**74-32,182.**

(a) The state board shall remit all moneys received pursuant to the provisions of this act to the state treasurer. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount

remitted in the state treasury and shall credit the same to the private and out-of-state postsecondary educational institution fee fund to be used for the purpose of administering this act. All expenditures from such fee fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board or the board's designee.

(b) On or before the 10th of each month, the director of account sand reports shall transfer from the state general fund to the private and out-of-state postsecondary educational institution fee fund interest earnings based on: (1) The average daily balance of moneys in such fee fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

**74-32,183.** If any clause, paragraph, subsection or section of the Kansas private and out-of-state postsecondary educational institution act is found to be unconstitutional or invalid, it shall be conclusively presumed that the legislature would have enacted the remainder of the act without such unconstitutional or invalid clause, paragraph, subsection or section.

**88-28-1. Definitions.** The following terms, wherever used in this article, shall have the meanings specified in this regulation:

(a) "Academic year" means instruction consisting of at least 24 semester credit hours over a period of two semesters or the equivalent.

(b) "Associate's degree" means a postsecondary degree consisting of at least 60 semester credit hours or the equivalent of college-level coursework. This term shall include the following types of associate's degree:

(1) "Associate in applied science degree" means a technical-oriented or occupational-oriented associate's degree that meets the following conditions:

(A) Is granted to each student who successfully completes a program that emphasizes preparation in the applied arts and sciences for careers, typically at the technical or occupational level; and

(B) requires at least 15 semester credit hours in general education and at least 30 semester credit hours or the equivalent in the technical content area.

(2) "Associate in arts degree" means an associate's degree that meets the following conditions:

(A) Is granted to each student who successfully completes a program that emphasizes the liberal arts; and

(B) requires at least 30 semester credit hours or the equivalent in general education, including English, mathematics, humanities, communications, physical sciences, and social and behavioral sciences, or any combination of these subjects.

(3) "Associate in general studies degree" means an associate's degree that meets the following conditions:

(A) Is granted to each student who successfully completes a program that emphasizes a broad range of knowledge; and

(B) requires at least 24 semester credit hours or the equivalent in general education.

(4) "Associate in science degree" means an associate's degree that meets the following conditions:

(A) Is granted to each student who successfully completes a program that emphasizes either mathematics or the biological or physical sciences, or both; and

(B) requires at least 30 semester credit hours or the equivalent in general education.

(c) "Bachelor's degree" and "baccalaureate" mean a degree that meets the following conditions:

(1) Requires the equivalent of at least four academic years of college-level coursework in the liberal arts, sciences, or professional fields meeting the following conditions: Requires at least 124 semester credit hours or the equivalent;

(B) includes at least 45 semester credit hours or the equivalent in upper-division courses; and

(C) requires at least 60 semester credit hours or the equivalent from institutions that confer a majority of degrees at or above the baccalaureate level; and

(2) requires a distinct specialization, which is known as a "major," that requires either of the following:

(A) At least one academic year, or the equivalent in part-time study, of work in the major subject and at least one academic year, or the equivalent in part-time study, in related subjects; or

(B) at least two academic years, or the equivalent in part-time study, in closely related subjects within a liberal arts interdisciplinary program.

(d) "Catalog" means a document delivered in print or on-line containing the elements specified in K.A.R. 88-28-2.

(e) "Closure of an institution" or "closure" means the practice of no longer allowing students access to the institution to receive instruction. Closure of an institution occurs on the calendar day

immediately following the last day on which students are allowed access to the institution to receive instruction.

(f) “Degree program” means a course of study that meets the following conditions:

(1) Leads to an associate’s degree, a bachelor’s degree, a master’s degree, an intermediate (specialist) degree, a first professional degree, or a doctor’s degree; and

(2) consists of at least 30 semester credit hours or the equivalent of coursework in a designated academic discipline area.

(g) “Doctor’s degree” means a degree that may include study for a closely related master’s degree and that meets the following conditions:

(1) Is granted to each student who successfully completes an intensive, scholarly program requiring the equivalent of at least three academic years beyond the bachelor’s degree;

(2) requires a demonstration of mastery of a significant body of knowledge through successful completion of either of the following:

(A) A comprehensive examination; or

(B) a professional examination, the successful completion of which may be required in order to be admitted to professional practice in Kansas; and

(3) requires evidence, in the form of a doctoral dissertation, of competence in independent basic or applied research that involves the highest levels of knowledge and expertise.

(h) “Enrollment agreement” means a written contract between an institution and a student in which the institution agrees to provide instruction to the student for a fee. Each valid enrollment agreement shall meet the requirements of K.A.R. 88-28-7.

(i) “Enrollment period” means the period of time specified in an enrollment agreement during which instruction, including any examinations given, is to be provided to a student.

(j) “Entering an institution” means commencing class attendance by a student at an on-site institution or first submitting a lesson by a student for evaluation in a distance education program.

(k) “First professional degree” means a degree that meets the following conditions:

(1) Is granted to each student who successfully completes study beyond the fulfillment of undergraduate requirements, as approved by the state board;

(2) requires the equivalent of at least five academic years of study, including work towards a bachelor’s degree; and

(3) includes a specialization in a professional field.

(l) “Honorary degree” means a special degree awarded as an honor that is bestowed upon a person without completion of the usual requirements.

(m) “Intermediate (specialist) degree” means a degree, including an educational specialist degree, granted to each student who successfully completes a program requiring the equivalent of at least one academic year beyond the master’s degree in a professional field.

(n) “Master’s degree” means a degree that meets the following conditions:

(1) Is granted to each student who successfully completes a program in the liberal arts and sciences or in a professional field beyond a bachelor’s degree;

(2) requires the equivalent of at least one academic year in a curriculum specializing in a single discipline or single occupational or professional area; and

(3) culminates in a demonstration of mastery, which may include one or more of the following:

(A) A research thesis;

- (B) a work of art; or
- (C) the solution of an applied professional problem.

(o) "Program" means either of the following:

- (1) A course or series of courses leading to a certificate, diploma, or degree; or
- (2) training that prepares a person for a field of endeavor in a business, trade, technical, or industrial occupation.

(p) "Upper-division course" means any course with content and teaching appropriate for students in their third and fourth academic years or for other students with an adequate background in the subject. (Authorized by and implementing K.S.A. 2005 Supp. 74-32,165; effective P-\_\_\_\_\_.)

**88-28-2. Minimum requirements.** (a) Except as provided in subsection (c), in order to qualify for a certificate of approval, each applicant institution shall be required to meet the criteria listed in K.S.A. 74-32,169 and amendments thereto. An owner of each applicant institution or the owner's designee shall submit evidence that the institution meets the following minimum requirements:

(1) The physical space shall meet the following requirements:

(A) Be free from hazards and be properly maintained;

(B) provide learning environments appropriate for each curriculum in size, seating, lighting, equipment, and resources;

(C) be either owned by the institution or accessed through a long-term lease or other means of access that indicates institutional stability; and

(D) if the physical space includes student housing owned, maintained, or approved by the institution, meet all local standards for public health and safety.

(2) All reports from the local fire department and other agencies responsible for ensuring public health and safety for the current year and the previous year shall be maintained on-site, and one copy shall be sent to the state board annually.

(3) The administrative personnel shall meet the following requirements:

(A) Be adequate in number to support the programs offered; and

(B) be adequately prepared for operating an institution through training, experience, credentialing, or any combination of these.

(4) The executive and academic leadership of the institution shall have qualifications that reasonably ensure that the purpose and policies of the institution are effectively maintained. The administrative responsibilities and concomitant authority of the executive and academic leadership shall be clearly specified in the institution's files.

(5) All permanent educational records and financial records of the students shall be securely maintained and protected from theft, fire, and other possible loss.

(6) All records describing the personnel related to and the development of the following operations shall be maintained for at least three years:

(A) The administration;

(B) the curricula;

(C) student guidance;

(D) instructional supplies and equipment;

(E) the library;

(F) the institution's physical plant;

(G) the staff; and

(H) student activities.

(7) The owner of the institution or the owner's designee shall submit to the state board the most recent financial statements for the institution operating in Kansas and for any parent or holding companies

related to that institution. The financial statements provided to the state board shall meet at least one of the following requirements for the most recent fiscal or calendar year or for the two most recent fiscal or calendar years combined:

(A) Demonstrate a minimum ratio of current assets to current liabilities of at least 1:1. This asset ratio shall be calculated by adding the cash and cash equivalents to the current accounts receivable and dividing the sum by the total current liabilities;

(B) exhibit a positive net worth in which the total assets exceed the total liabilities; or

(C) demonstrate a profit earned.

(8) If the institution receives any loans on behalf of a student from a private lender, the institution shall meet all of the following provisions and requirements:

(A) The loan funds may be applied to tuition, fees, or living expenses, or any combination, for a student.

(B) The institution shall not accept all loan funds up front. The funds received shall arrive in multiple disbursements, with the first arriving after the first day of classes and the second arriving at least halfway through the enrollment period. The disbursements shall be at least 90 days apart.

(C) All refunds shall be made to the bank rather than to the borrower.

(D) Upon receipt of loan funds for items to be provided by the institution to the student, the institution shall provide these items to the student, with the exception of test vouchers.

(E) The institution shall not receive any loan funds for a student before the student first attends any course or accepts any on-line materials.

(F) If providing a test voucher for a student, the institution shall not receive any loan funds for the test voucher more than 30 days before the student is scheduled to take the test.

(9) Each institution shall have a tuition refund policy and a student enrollment cancellation policy, called the "refund policy" in these regulations, that meets the following requirements:

(A) Is published in the institution's catalog;

(B) complies with K.S.A. 74-32,169 and amendments thereto;

(C) establishes that each student will be reimbursed for any items for which the student was charged but did not receive, including textbooks and software;

(D) has no more stringent requirements than the following:

(i) All advance monies, other than an initial, nonrefundable registration fee, paid by the student before attending class shall be refunded if the student requests a refund, in writing, within three days after signing an enrollment agreement and making an initial payment; and

(ii) for institutions collecting a nonrefundable initial application or registration fee, the student shall be required to sign a written statement acknowledging that the initial application or registration fee is nonrefundable. This statement may be a part of the enrollment agreement, as described in K.A.R. 88-28-7; and

(E) for institutions not participating in federal student aid under title IV of the higher education act of 1965, as amended, meets the following additional requirements:

(i) If a student withdraws during the first week after entering an institution, the institution shall refund at least 90 percent of the tuition;

(ii) if a student withdraws during the first 25 percent of the enrollment period but following the first week after the student's entering an institution, the institution shall refund at least 55 percent of the tuition;

(iii) if a student withdraws during the second 25 percent of the enrollment period, the institution shall refund at least 30 percent of the tuition;

(iv) if a student withdraws during the last 50 percent of the enrollment period, the institution may deny a refund to the student;

(v) any monies due to a student shall be refunded within 60 days from the last day of attendance or within 60 days from the receipt of payment if the date of receipt of payment is after the student's last date of attendance;

(vi) for institutions with programs consisting of fewer than 100 clock-hours, refunds may be calculated on an hourly, pro rata basis; and

(vii) in determining the official termination date and percentage of each course completed, the institution may consider the week during which the student last attended to be an entire week of attendance completed.

(10) All correspondence from the institution regarding the enrollment cancellation of a student, and any refund owed to the student, shall reference the refund policy of the institution.

(11) The required catalog of the institution's operation and services published electronically or in print, or both, shall include the following items:

(A) A table of contents;

(B) a date of publication;

(C) a list of any approvals, including contact information for the state board, and accreditations, including contact information, affiliations, and memberships that the institution has obtained;

(D) any requirements that students must meet to be admitted;

(E) an academic calendar or a reference to a published calendar used by the institution;

(F) the name and nature of each occupation for which training is given;

(G) the curricula offered, including the number of clock-hours or credit hours for each course in each curriculum;

(H) a description of the physical space and the educational equipment available;

(I) the tuition and fees charged;

(J) a description of the system used to measure student progress;

(K) the graduation or completion requirements, or both;

(L) the institutional mission;

(M) identification of the owner of the institution;

(N) a list of the instructors teaching in Kansas, including their degrees held and the institutions from which their degrees were received;

(O) the institutional rules;

(P) the institution's policies for tuition refund and student enrollment cancellation, as described in paragraph (a)(9);

(Q) the extent to which career services are available; and

(R) the institution's policies for transfers of clock-hours or credit hours and for advanced-standing examinations.

(12) The enrollment agreement shall meet the requirements of K.A.R. 88-28-7.

(13) All advertising and promotional materials shall meet the following requirements:

(A) Include the correct name of the institution that is approved by the state board;

(B) be truthful and not misleading by actual statement or omission;

(C) not be located in the employment or "help wanted" classified ads;

(D) not quote salaries for an occupation in the institution's advertising or promotional literature without including the documented median starting wage of a majority of the institution's graduates who graduated within the most recent calendar year;

(E) make no offers of institutional scholarships or partial institutional scholarships, unless the scholarships are bona fide reductions in tuition and are issued under specific, published criteria;

(F) use the word "accredited" only if the accrediting agency is one recognized by the United States department of education;

(G) not make any overt or implied claim of guaranteed employment during training or upon completion of training, in any manner; and

(H) not use letters of endorsement, recommendation, or commendation in the institution's advertising and promotional materials, unless the letters meet the following requirements:

- (i) The institution received the prior, written consent of the authors;
- (ii) the institution did not provide remuneration in any manner for the endorsements; and
- (iii) the institution keeps all letters of endorsement, recommendation, or commendation on file, subject to inspection, for at least three years after the last use of the contents in advertising or promotional materials.

(14) Each curriculum shall meet the following requirements:

- (A) Be directly related to the institution's published mission;
- (B) evidence a well-organized sequence of appropriate subjects leading to occupational or professional competence;
- (C) reasonably and adequately ensure achievement of the stated objectives for which the curriculum is offered;
- (D) if the curriculum prepares students for licensure, be consistent with the educational requirements for licensure; and
- (E) if courses are delivered by distance education, meet the same standards as those for courses conducted on-site.

(15) The published policies for measuring student progress shall be followed.

(16) All instructional materials shall meet the following requirements:

- (A) Reflect current occupational knowledge and practice applicable to the field of study and meet national standards if the standards exist;
- (B) be sufficiently comprehensive to meet the learning objectives stated in the institution's published catalog;
- (C) include suitable teaching devices and supplemental instructional aids appropriate to the subject matter; and
- (D) be applicable to the curricula and the students.

(17) All instructional equipment shall meet the following requirements:

- (A) Be current and maintained in good repair; and
- (B) be used by students according to written policies for safe usage.

(18) Each faculty member shall be qualified to teach in the field or fields to which the member is assigned. Faculty responsibilities may be defined in terms of the number of hours taught, course development and research required, level of instruction, and administrative, committee, and counseling assignments.

(19) Each faculty member's minimum academic credential shall be at least one degree-level above the degree being taught, unless other credentials are typically used in lieu of the academic degree in a particular field of study. In those cases, qualifications may be measured by technical certifications, relevant professional experience, professional certifications, creative activity, training, or licensure, or any combination of these. The institution shall provide documentation that all faculty appointments meet these standards.

(20) The instructors in all programs shall maintain continuous professional experience through one or more of the following activities:

- (A) Maintain membership in and participate in educational, business, technical, or professional organizations;
- (B) continue their education in their professional fields; or
- (C) have concurrent, related work experience.

(21) In-service training that is consistent with the institution's mission shall be provided for the improvement of both the instructors and the curricula.

(22) All students shall be given the appropriate educational credentials upon completion of the program that indicate satisfactory completion.

(23) Each certificate, diploma, or degree shall include the following information, at a minimum:

- (A) The name of the graduate;
- (B) the name of the program completed;
- (C) the name of the institution issuing the credential; and
- (D) the date on which the graduate completed the program.

(b) In addition to meeting the requirements of subsection (a), an owner of the applicant institution for which degree-granting authority is sought, or the owner's designee, shall also submit evidence that the institution meets the following minimum requirements:

(1) Each degree program for which degree-granting authority is sought shall meet the criteria specified in the definition of that degree in K.A.R. 88-28-1.

(2) The library holdings maintained in a physical library or on-line, or in a combination of a physical library and on-line, shall be appropriate to each degree awarded. All of the following requirements shall be met:

(A) A professionally trained librarian shall maintain the holdings.

(B) An annual budget shall be established to maintain and improve the holdings, including the appropriate classification and inventory of the holdings.

(C) Physical holdings, on-line holdings, or a combination of these holdings shall be made available at times when students are not in class, including weekend and evening hours.

(D) The library holdings shall be up-to-date and shall include full-text titles appropriate to the degrees offered.

(E) The faculty shall be given an opportunity to participate in the acquisition of library holdings, whether physical or on-line.

(F) If the institution uses interlibrary agreements, the agreements shall be well documented, and access to other libraries' collections shall be practical for students.

(3) Each institution's governing structure shall clearly delineate the responsibility for all legal aspects of operations, the formulation of policy, the selection of the chief executive officer, and the method of succession. If the institution is governed by a board or group of officers, the following aspects of the board or group shall be clearly defined:

(A) The membership;

(B) the manner of appointment;

(C) the terms of office; and

(D) all matters related to the duties, responsibilities, and procedures of that body.

(4) The financial statements for the institution shall be audited by a CPA.

(c) If an institution has accreditation issued by a regional or national accrediting agency recognized by the United States department of education, that accreditation may be accepted by the state board as presumptive evidence that the institution meets the minimum requirements specified in this regulation. However, each degree program for which degree-granting authority is sought shall meet the criteria specified in the definition of that degree in K.A.R. 88-28-1. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,165 and 74-32,169; effective P-\_\_\_\_\_.)

**88-28-3. Certificates of approval.** (a) A certificate of approval may be issued with degree-granting authority or without degree-granting authority.

(b) An owner of each institution for which a certificate of approval to operate in Kansas is sought, or the owner's designee, shall submit an application on a form provided by the state board. An owner of each institution for which degree-granting authority is sought, or the owner's designee, shall

indicate on the application that degree-granting authority is requested and shall specify the degree programs proposed to be offered by the institution.

(c) An owner of each institution or the owner's designee shall submit the following information with the application:

- (1) An outline or syllabus of each course offered in Kansas;
- (2) a description of the institution's facilities, equipment, and instructional materials;
- (3) a certification by an owner of the applicant institution or the owner's designee that the building that is to house the institution meets the requirements of all local, state, and federal regulations;
- (4) a resume of each administrator and instructor that includes the individual's education, previous work experience, professional activities, and, if applicable, licensure;
- (5) evidence of the institution's professional development and in-service activities;
- (6) a copy of the proposed catalog or, if existing, a copy of each of the institution's most recent catalogs, bulletins, and brochures, with any supplements;
- (7) a copy of the enrollment agreement;
- (8) a copy of the credential to be given to each student upon completion of a program;
- (9) a description of how the student and administrative records are maintained as required by K.A.R. 88-28-2;
- (10) a copy of any advertising used;
- (11) a financial statement showing income and expenditures for the most recent, complete fiscal year. These documents shall be prepared and acknowledged by a certified public accountant and, in the case of an institution requesting degree-granting authority, shall be audited by a certified public accountant;
- (12) a ledger sheet for each student showing the receipt of money for tuition, fees, books, supplies, and any other items charged to the student; and
- (13) a copy of any certificate of accreditation issued to the institution by a regional or national accrediting agency recognized by the United States department of education.

(d)(1) If an application for a certificate of approval without degree-granting authority submitted in accordance with this article is found to be complete and the applicant institution meets the requirements in K.S.A. 74-32,169 and amendments thereto, the instructional facilities of the applicant institution applying for a certificate of approval may be inspected and evaluated by the state board or by professional consultants appointed by the state board before a certificate of approval may be issued.

(2) If an application for a certificate of approval with degree-granting authority submitted in accordance with this article is found to be complete, the applicant institution meets the requirements in K.S.A. 74-32,169 and amendments thereto, and the applicant institution's degree programs meet the criteria specified in the definitions of those degrees in K.A.R. 88-28-1, the institution shall be subject to the requirements of K.A.R. 88-28-4. A certificate of approval with degree-granting authority may be issued based on the following evidence:

(A) The application material submitted by the institution;

(B) the evaluation arising from the on-site visit, if any;

(C) the examining team's report as described in K.A.R. 88-28-4, if any; and

(D) any information or documentation that the institution provides at the meeting with the state board's executive officer or designee as described in K.A.R. 88-28-4.

(e) If an institution is found to be eligible for a certificate of approval, an owner of the applicant institution or the owner's designee shall be notified of the conditional approval of the institution. Following notification, an owner of the applicant institution or the owner's designee shall furnish a surety bond or other equivalent security acceptable to the state board in the amount of \$20,000, as

required by K.S.A. 74-32,175 and amendments thereto. A certificate of approval shall not be issued until the surety bond or other security is filed with the state board.

(f) On the state board's own motion or upon a written complaint filed by any person doing business with the institution, an investigation of the institution may be conducted by the state board. Based upon the results of the investigation, the institution may be ordered by the state board to take corrective action, or proceedings may be initiated by the state board to revoke the institution's certificate of approval under the provisions of K.S.A. 74-32,172 and amendments thereto. The approval to grant degrees may be revoked in whole or for specific degree programs if an institution is not in compliance with the minimum standards specified in K.A.R. 88-28-2.

(g) An owner of each institution with degree-granting authority that seeks to begin a new degree program, or the owner's designee, shall file for an amendment to its certificate of approval on a form provided by the state board. Each new degree program shall meet the criteria specified in the definition of that degree in K.A.R. 88-28-1. The institution shall be subject to the requirements of K.A.R. 88-28-4. The owner of the institution or the owner's designee shall submit the following items with the application to amend its certificate of approval:

- (1) An outline of the curriculum to be offered for the new degree;
- (2) the qualifications of the faculty to be involved in the program of study;
- (3) the relationship of the new degree program to the mission of the institution; and
- (4) any other information requested by the board. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,167, 74-32,168, 74-32,172, and 74-32,175; effective P-\_\_\_\_\_.)

**88-28-4. On-site visits to degree-granting institutions.** (a) Each applicant institution without accreditation from an agency recognized by the federal department of education for which degree-granting authority is sought shall be required to submit to an on-site visit to the institution by state board representatives, including curriculum specialists, subsequently called an examining team, as described in this regulation, if the institution has not had this type of on-site visit within the last five years. Any applicant institution with accreditation from an agency recognized by the federal department of education and any institution with a certificate of approval with degree-granting authority may be required to submit to an on-site visit to the institution by an examining team, as described in this regulation.

(b) When the executive officer of the state board or designee has determined that an institution is ready for an on-site visit, the executive officer or designee shall arrange with the owner of the institution or the owner's designee for a visit to the campus or instructional sites, or both, to confirm the documentation furnished by the institution and to ascertain that the institution meets the minimum requirements specified in K.A.R. 88-28-2.

(c) Each examining team conducting an on-site visit shall be comprised of representatives of the public and private sectors of higher education with appropriate levels and fields of education. This team may include other qualified representatives of the public at large who are appointed by the executive officer of the state board or designee.

(d) At least one member of the staff of the state board shall accompany the examining team and serve as liaison between the institution, team members, and the state board office.

(e) One member of the examining team shall be designated as chairperson and shall assume responsibility for leadership in conducting the on-site visit and in preparing the examining team's report. No staff member shall serve as chairperson.

(f) The applicant institution shall be responsible for any costs connected with the on-site visit and, if necessary, any subsequent visits, including travel, meals, lodging, and honoraria.

(g) The examining team shall prepare and submit a report, which shall include its study of the institution's proposal, its visit to the campus or instructional sites, and its statement of recommendation regarding the institution's application, to the executive officer of the state board or designee within 30 days after completion of the on-site visit.

(h) The statement of recommendation included in the examining team's report shall be one of the following:

(1) Approval. This statement recommends that the institution be given approval in specified programs, subject to annual renewal and periodic reporting of information as requested by the state board.

(2) Nonapproval. This statement recommends that the institution not be approved for specified programs, with the recommendation that the institution pursue its plan of improvement and reapply.

(i) All statements of recommendation shall be advisory to the state board.

(j) After the examining team's report on the disposition of an application has been transmitted from the examining team to the executive officer of the state board or designee, the executive officer or designee may, at that individual's discretion or at the request of the institution, invite the owner of the applicant institution or the owner's designee to meet to discuss the report and present any further information pertinent to the application.

(k) Except as needed for applications from institutions seeking to offer new degree programs or for any investigation of violations of laws and regulations, on-site visits shall occur no more frequently than every five years. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,165, 74-32,169, 74-32,170, 74-32,171, and 74-32,181; effective P-\_\_\_\_\_.)

**88-28-5. Registration of representatives.** (a) Each individual who wants to serve as a representative of any institution shall complete and submit a representative's application on a form provided by the state board. A separate application shall be submitted for each institution that an individual seeks to represent, unless the institutions that an individual seeks to represent have common ownership. The applicant and either an owner of the institution that the applicant seeks to represent or the owner's designee shall sign the application and shall attest that if the registration is issued, the applicant will be employed by the institution.

(b) If the state board, upon review and consideration of an application, determines that the application is denied, the applicant shall be notified by the state board of the denial and each reason for the denial. The notice shall also advise the applicant of the right to request a hearing under K.S.A. 74-32,172 and amendments thereto.

(c) A certificate of registration for each institution with separate ownership shall be issued by the state board to the individual upon approval of the application. The certificate shall state the name of the registrant, the name of the institution that the registrant may represent, the date of issuance, and the date of expiration. The representative shall make available proof of the representative's registration to each prospective student or enrollee, if asked, before engaging in any personal solicitation.

(d) On the state board's own motion or upon a written complaint filed by any person doing business with the representative, an investigation of the representative may be conducted by the state board. Based upon the results of the investigation, the representative or the institution may be ordered by the state board to take corrective action, or proceedings may be initiated by the state board to revoke the representative's certificate of registration under the provisions of K.S.A. 74-32,172 and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,174; effective P-\_\_\_\_\_.)

**88-28-6. Certification and registration fees.** Fees for certificates of approval and registration of representatives shall be collected by the state board in accordance with this regulation. (a) For institutions domiciled or having their principal place of business within the state of Kansas, the following fees shall apply:

(1)(A) Initial issuance of certificate of approval  
without degree-granting authority ..... \$850.00

- (B) Renewal of certificate of approval without degree-granting authority ..... \$600.00
- (2)(A) Initial issuance of certificate of approval with degree-granting authority ..... \$1,000.00
- (B) Renewal of certificate of approval with degree-granting authority ..... \$800.00
- (3) (A) Initial registration of representative ..... \$75.00
- (B) Renewal of registration of representative ..... \$50.00

(b) For institutions domiciled or having their principal place of business outside the state of Kansas, the following fees shall apply:

- (1)(A) Initial issuance of certificate of approval without degree-granting authority ..... \$1,700.00
- (B) Renewal of certificate of approval without degree-granting authority ..... \$1,200.00
- (2)(A) Initial issuance of certificate of approval with degree-granting authority ..... \$1,900.00

- (B) Renewal of certificate of approval with degree-granting authority ..... \$1,400.00
- (3) (A) Initial registration of representative ..... \$150.00
- (B) Renewal of registration of representative ..... \$100.00

(Authorized by and implementing K.S.A. 2005 Supp. 74-32,181; effective P-\_\_\_\_\_.)

**88-28-7. Enrollment agreement.** (a) (1) Before any institution may accept payment from a student, an official of the institution shall provide that student with an enrollment agreement that explicitly outlines the obligations of the institution and the student and the enrollment period for which this agreement applies. When the official of the institution provides any student with the institution's enrollment agreement, the official shall also physically or electronically provide the student with a copy of the institution's catalog and any other supporting documents that detail the services to be provided by the institution that are outlined in the enrollment agreement.

(2) The enrollment agreement shall be written so that it can be understood by the prospective student or, if the prospective student is a minor, that prospective student's parent or legal guardian, regardless of the educational background of the individual.

(b) Each enrollment agreement shall contain the following elements:

- (1) A title that identifies the enrollment agreement as a contract or legal agreement;
- (2) the name and address of the institution;
- (3) the title of the program or each course in which the student is enrolling, as identified in the course catalog;
- (4) the number of clock-hours or credit hours and the number of weeks or months required for completion of the program or each course in which the student is enrolling;
- (5) identification of the type of certificate, diploma, or degree to be received by the student upon successful completion of the program or each course;
- (6) the total amount of tuition required for the program or each course in which the student is currently enrolling. If the total number of clock-hours or credit hours required for completion of the program will span more than one enrollment period, the enrollment agreement shall include a statement that tuition is subject to change;
- (7) the cost of any required books and supplies, which may be estimated if necessary;
- (8) any other costs and charges to be paid by the student;

(9) the scheduled start and end dates of the program or each course and a description of the class schedule;

(10) the grounds for termination of the enrollment agreement by the institution before the student's completion of the program or each course. These grounds may include the student's insufficient progress, nonpayment, and failure to comply with the institution's published rules;

(11) the method by which the student can cancel or voluntarily terminate the enrollment agreement;

(12) the institution's refund policy for cancellations and terminations, as described in K.S.A. 74-32,169 and amendments thereto. Reference may be given to the page where the refund policy is listed in the institution's catalog in effect at the time of enrollment;

(13) a statement disclaiming any guarantee of employment for the student after the program or each course is completed;

(14) the reasons why the institution could postpone the scheduled starting date or the class schedule, the maximum period of any possible delay, and any effect that the postponement could have on the institution's refund policy;

(15) a description of the nature and extent of any possible major or unusual change in any course content, program content, or materials and the amount of any extra expenses that could be charged to the student;

(16) the date on which the enrollment agreement becomes effective;

(17) an acknowledgment that the student who signs the enrollment agreement has read and received a copy of the agreement;

(18) the signature of the student or the student's legal representative, if the student is a minor, and the date of this signature;

(19) the signature of an official at the institution who is authorized to sign for the institution and the date of this signature;

(20) if any extra charges are assessed, a description of what each charge is for and, if payment of these charges is collected in advance, a reasonable refund policy; and

(21) a description of any items or services required to be purchased from sources other than the institution, if any. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,165, 74-32,169, and 74-32,176; effective P-\_\_\_\_\_.)

**88-28-8. Student records upon closure of an institution.** (a) Upon closure of an institution, an owner of the institution or the owner's designee shall deliver or make available to the state board all records of the students who are or have been in attendance at the institution. These records shall be delivered or made available no more than 15 calendar days following the closure.

(b) If the student records are not delivered or made available to the state board as required by subsection (a), any action deemed necessary may be commenced by the state board to obtain possession of the records.

(c) Each student requesting a copy of a transcript after the closure of an institution shall pay a fee of \$7.00. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,175 and 74-32,181; effective P-\_\_\_\_\_.)

**KANSAS BOARD OF REGENTS**  
**1000 SW JACKSON STREET, SUITE 520**  
**TOPEKA, KS 66612-1368**

**INSTRUCTIONS FOR PRIVATE POSTSECONDARY SCHOOL APPLICATION**

Enclosed please find application materials for approval as a private postsecondary school in the state of Kansas. There are several documents enclosed. Please review them carefully. If you have questions, please call our office.

The following steps may help you through the application process.

**STEP 1**

Complete the Application for Certificate of Approval to Operate a School in Kansas and all supporting documentation.

**Part I: GENERAL INFORMATION ABOUT SCHOOL**

- \_\_\_\_\_ Resume and credentials for Administrators (Owners/Director/ Manager, Compliance Director and Financial Aid Director) **We will accept HR report.**
- \_\_\_\_\_ State the mission of your institution
- \_\_\_\_\_ Current financial statement prepared by CPA
- \_\_\_\_\_ Evidence of compliance with local, county, state, national codes as applicable \*
- \_\_\_\_\_ Copy of accreditation if applicable
- \_\_\_\_\_ A descriptive summary of space for classrooms, labs, library, administrative offices \*

**Part II: ADMISSION PROCESS, ENROLLMENT AGREEMENT, CATALOG AND RECRUITING**

- \_\_\_\_\_ Enrollment agreement/application or registration forms
- \_\_\_\_\_ Catalog and completed catalog checklist
- \_\_\_\_\_ Copies of all advertising for previous year
- \_\_\_\_\_ Representative applications if applicable
- \_\_\_\_\_ Policy on how institution accounts for previous experience, training, or coursework for students (i.e. transfer credits, test out)

**Part III: INSTRUCTION**

- \_\_\_\_\_ Instructor Qualification Record with resume and credentials for each instructor. **We will accept Facility Personnel Report listing from HR.**
- \_\_\_\_\_ Grading policy/forms for recording
- \_\_\_\_\_ Copy of certificate, degree, diploma
- \_\_\_\_\_ Course outline(s) syllabus
- \_\_\_\_\_ Complete program Inventory
- \_\_\_\_\_ All degree granting programs must be approved at a Board of Regents monthly meeting, program supporting documents on each degree program should be included with your application.

**Part IV. STUDENT SERVICES**

- \_\_\_\_\_ Settlement/refund policy
- \_\_\_\_\_ Attendance policy/forms for recording \*
- \_\_\_\_\_ Termination policy/regulations governing student conduct

\_\_\_\_\_ Schedule of tuition and fees and other costs (i.e. books, lab fees, supplies)

\_\_\_\_\_ The extent to which job placement services are available

**Part V. REFERENCES**

**Part IV. NOTARIZED SIGNATURE**

**STEP 2**

Contact your Bonding Company to fulfill the Bond and Power of Attorney requirements. **Submit with your application materials a letter from the insurance company in evidence of the bond.** For new schools **PLEASE DO NOT** have the bond dated until your application has been completed. The Bond date must match the date on your certificate of approval, we will notify you when you have been approved and the Bond date to be used. Please verify that the bond is made out to the **KANSAS BOARD OF REGENTS.**

**STEP 3**

Complete all representative registration forms thoroughly. Have the form notarized.

**STEP 4**

Collect all materials and send along with fee for school and all representatives. Please verify the proper fee amount.

**PLEASE CALL 785-296-3422 FOR CURRENT FEE SCHEDULE**

If you have any questions or problems, please feel free to contact us at Jacqueline Johnson (785) 296-4917 [jjohnson@ksbor.org](mailto:jjohnson@ksbor.org) or Naomi Adams at 785-296-3422 [nadams@ksbor.org](mailto:nadams@ksbor.org).

***\*May not be applicable for on-line, home study or test preparation schools.***

**KANSAS BOARD OF REGENTS**  
**1000 SW Jackson Street, Suite 520**  
**Topeka, Kansas 66612-1368**

**CHECKLIST OF NECESSARY ITEMS FOR SCHOOL**

Name of School \_\_\_\_\_

Date \_\_\_\_\_ Application \_\_\_\_\_ Fee \_\_\_\_\_

**Supporting Materials**

\_\_\_\_\_ Completed Administrator Qualification Record Form for **Each** Administrator (*Page 3 of Application*) or  
Administrator Personnel Report from HR Department

\_\_\_\_\_ Resume' and credentials for **Each** Administrator

\_\_\_\_\_ Current Financial Statement

\_\_\_\_\_ Bond or Letter of Credit

\_\_\_\_\_ Power of Attorney

\_\_\_\_\_ Copy of Accreditation (*If applicable*)

\_\_\_\_\_ Copy of Compliance Reports (local fire department, health department, other agencies)\*

\_\_\_\_\_ Description of Space for Classrooms, Labs, Library, Administrative Offices \*

\_\_\_\_\_ Completed Enrollment Agreement Checklist (*Page 5 of Application*)

\_\_\_\_\_ Copy of Enrollment Agreement/Application/Registration Forms

\_\_\_\_\_ Completed Catalog Checklist (*Page 6 of Application*)

\_\_\_\_\_ Copy of Catalog

\_\_\_\_\_ Application for Representative(s) \_\_\_\_\_ Number of Representative \_\_\_\_\_ Fee

\_\_\_\_\_ Copies of Advertisement for the Past Year

\_\_\_\_\_ Previous Education and Training (*i.e. transfer credits, allow students to test out*)

\_\_\_\_\_ Completed Instructor Qualification Record Form for **EACH** Instructor (*Page 8 of Application*) or  
Facility Personnel Report

\_\_\_\_\_ Resume' and Credentials **OR** Faculty Personnel Report for each Instructor

\_\_\_\_\_ Course Outline and Syllabus for Each Course Taught

\_\_\_\_\_ Grading Policy and Forms \*

\_\_\_\_\_ Attendance Policy and Forms \*

\_\_\_\_\_ Copy of Certificate, Degree, Diploma Awarded

\_\_\_\_\_ Completed Program Inventory Form

\_\_\_\_\_ Institutional Rules/Termination Policy

\_\_\_\_\_ Tuition and Fees Plus Any Other Charges

\_\_\_\_\_ Refund Policy

**NO CERTIFICATE OF APPROVAL WILL BE ISSUED UNTIL ALL REQUESTED  
INFORMATION IS RECEIVED**

\*May not be applicable for on-line, home study or test preparation schools.

**KANSAS BOARD OF REGENTS**  
**1000 SW Jackson Suite 520**  
**Topeka KS 66612-1368**

Initial _____
Renewal _____
Branch _____

**Application for Certificate of Approval to Operate a School in Kansas**

Application is hereby made to the Kansas Board of Regents for a Certificate of Approval, which must be obtained before applicant institution can operate in the state of Kansas. One copy of this application must be returned to the Kansas Board of Regents. If any answers are omitted, the application is incomplete and will be returned for completion before processing. If more space is needed, answers keyed to questions may be submitted on a separate sheet.

**PART I: ADMINISTRATION**

Name of Institution \_\_\_\_\_ Date \_\_\_\_\_

Address of Institution \_\_\_\_\_  
Street City State Zip Code

Phone No. \_\_\_\_\_ Fax No. \_\_\_\_\_ E-mail \_\_\_\_\_

Institution Website: \_\_\_\_\_

Is institution accredited? Yes  No  Name of accrediting agency \_\_\_\_\_  
 (The Kansas Board of Regents **is not** an accrediting agency)

Does your institution hold a current Certificate of Approval from any state education agency? Yes  No

If yes, give name of agency or agencies and states represented.

\_\_\_\_\_

Type of Program:  Home Study (no On-line courses)  Brick & Mortar  On-line  Combined

Form of ownership:  Corporation  Partnership  Individual  State Chartered in \_\_\_\_\_  
 (Degree granting must be state chartered or incorporated)

If incorporated list state \_\_\_\_\_

**OWNER (S)**

Supply information for each owner in appropriate space below. If a corporation, attach list of officers including information below

Name (owner/officer) \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_  
Street City State Zip Code

How long owner has owned the institution: \_\_\_\_\_

Employment or business connections of owner for last 10 years (list no more than two)	From	To
Firm		

Has owner(s) ever been connected in any capacity with a private school? Yes  No

Institution: \_\_\_\_\_

Location (Address) \_\_\_\_\_: Year(s) \_\_\_\_\_

**Director or Manager of Institution (ATTACH RESUME)**

Name \_\_\_\_\_ Title \_\_\_\_\_

Office phone \_\_\_\_\_ FAX: \_\_\_\_\_ E-mail: \_\_\_\_\_

Length of employment with Institution \_\_\_\_\_ Date of Employment \_\_\_\_\_

A. List experience in education field (administrative, supervisory, or teaching).

Institution(s) (If none, list "NA") Firm                      Official Title	Dates Employed:	From	To

B. Other employment or business connections of Director during the last five years (list 2).

Firm	Official Title	Dates Employed:	From	To

Has the owner or any member of the staff employed by the institution ever been convicted of any violation of the penal laws of any state of the United States?    Yes     No

If yes, explain

\_\_\_\_\_  
\_\_\_\_\_

State the "mission" of your institution \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**The following items must be included:**

1. Completed Administrator Qualification form for each Administrator. \*K.A.R. 88-28-3(b)
2. Current Financial Statement **PREPARED BY A CERTIFIED PUBLIC ACCOUNTANT** K.A.R. 88-28-2 (7-a-f)
3. Evidence of compliance with local, County, State, National Codes as applicable K.A.R. 88-28-2 (1) \*\*
4. KBOR form for Bond with power of attorney. *Date of bond must be the same as the approval period.*
5. Copy of accreditation if applicable.
6. A descriptive summary of space for classrooms, labs, library, administrative offices. \*\*

\*K.A.R. - Kansas Administrative Regulations as stated in Private Postsecondary Institutions Administration Manual

\*\* *May not be applicable for on-line, home study or test preparation schools.*

**Board of Regents  
Administrator Qualification Record**

**Name of Institution:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City/state/zip:** \_\_\_\_\_

**Employee** \_\_\_\_\_ **Employment Date:** \_\_\_\_\_

**Position:** \_\_\_\_\_ **Full Time** \_\_\_\_\_ **Part Time** \_\_\_\_\_

Education, training, and licenses related to this position

Institution Name and Address	Course	Total clock/Semester hrs	License, certificate, degree awarded

**Attach a copy of your resume**

I certify the above information pertaining to my education or work experience is true and correct.

\_\_\_\_\_  
Signature of Administrator

I certify that the institution has verified the information on this form and it is true and correct.

\_\_\_\_\_  
Signature of Institution Official

## PART II: ADMISSIONS/RECRUITING

List the maximum amount of tuition money accepted in advance with enrollment. \$

\_\_\_\_\_ (See K.A.R.88-28-2. (9D))

Check methods used to qualify prospective students.

1. \_\_\_\_\_ High school diploma
  2. \_\_\_\_\_ GED
  3. \_\_\_\_\_ Special test (list) \_\_\_\_\_
  4. \_\_\_\_\_ Interview
  5. \_\_\_\_\_ Letters of recommendation
  6. \_\_\_\_\_ Age (list) \_\_\_\_\_
  7. \_\_\_\_\_ Other \_\_\_\_\_
- 

### **The following items must be included:**

1. Completed Enrollment Agreement Checklist
2. Completed Catalog Checklist
3. Completed Application for any Representatives employed by this institution
4. Copies of advertising for the past year
5. Copies of application or registration forms
6. Evidence of how institution accounts for previous experience, training, or coursework for students ( i.e. transfer credits, allow students to test out of courses)

**Kansas Board of Regents**  
**Enrollment Agreement Checklist**

Name of Institution: \_\_\_\_\_

Address: \_\_\_\_\_

City/state/zip: \_\_\_\_\_

*Instructions for completion:* **The following items must be part of the enrollment agreement.**

- (A) Indicate by your initial that the item is included in your enrollment agreement;
- (B) place the number of the item as listed here on a copy of your enrollment agreement;
- and
- (C) attach this form to the copy of your enrollment agreement.

- \_\_\_\_\_ 1. Title that identifies the enrollment agreement as a contract or legal agreement
- \_\_\_\_\_ 2. Name and address of the institution
- \_\_\_\_\_ 3. Title of course or program
- \_\_\_\_\_ 4. Total number of clock or credit hours and number of weeks or months required for completion
- \_\_\_\_\_ 5. Identification of type of certificate or diploma
- \_\_\_\_\_ 6. Total tuition required for the course
- \_\_\_\_\_ 7. Cost of any required books and supplies
- \_\_\_\_\_ 8. Any other costs and charges
- \_\_\_\_\_ 9. Scheduled start date of the course or program
- \_\_\_\_\_ 10. Description of the class schedule
- \_\_\_\_\_ 11. Grounds for termination of the enrollment agreement by the institution
- \_\_\_\_\_ 12. Method by which a student can cancel or voluntarily terminate the enrollment agreement
- \_\_\_\_\_ 13. Institution's refund policy for cancellations and terminations, as described in K.A.R. 88-23-2
- \_\_\_\_\_ 14. Statement disclaiming guarantee of employment for the student after completion
- \_\_\_\_\_ 15. Reasons why the institution may postpone the scheduled starting date or the class schedule, the maximum period of any possible delay, and any effect the postponement may have on the institution's refund policy
- \_\_\_\_\_ 16. Description of the nature and extent of any possible change of course content or materials and the amount of any extra expenses that may be charged to the student
- \_\_\_\_\_ 17. Date the agreement becomes effective
- \_\_\_\_\_ 18. Acknowledgment that the applicant or student who signs the agreement has read and received a copy of the enrollment agreement
- \_\_\_\_\_ 19. Date and signature of applicant or legal representative if the applicant is a minor
- \_\_\_\_\_ 20. Date and signature of an official at the institution that has legal capacity to sign for the institution
- \_\_\_\_\_ 21. Description of items/ services required to be purchased from sources other than the institution
- \_\_\_\_\_ 22. If the institution reserves the right to adjust tuition rates before completion of the course or program, a statement of specific times at which changes may occur and a reasonable amount of advance notice that will be provided to students.

# Kansas Board of Regents

## Catalog Checklist

Name of Institution: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Effective Date of Catalog: \_\_\_\_\_

**Complete this form and attach it to your catalog.**

**Instructions for completion: The following items must be part of the catalog. Indicate by a page number where the item is included in your catalog.**

- \_\_\_\_\_ 1. Table of contents
- \_\_\_\_\_ 2. Date of publication
- \_\_\_\_\_ 3. List approvals, accreditations, affiliations, memberships
- \_\_\_\_\_ 4. Requirements for admission
- \_\_\_\_\_ 5. Academic calendar or a reference to a published calendar used by the institution
- \_\_\_\_\_ 6. Name and nature of the occupations for which training is given
- \_\_\_\_\_ 7. Curriculum including clock hours or credit hours of each course in the curriculum
- \_\_\_\_\_ 8. Description of the physical space and the educational equipment available
- \_\_\_\_\_ 9. Tuition and fees charged
- \_\_\_\_\_ 10. Attendance Policy
- \_\_\_\_\_ 11. Description of the system used to measure student progress
- \_\_\_\_\_ 12. Graduation or completion requirements, or both
- \_\_\_\_\_ 13. Institutional mission
- \_\_\_\_\_ 14. Identification of the owner of the institution
- \_\_\_\_\_ 15. List of instructors, including degrees held and institutions of degrees
- \_\_\_\_\_ 16. Institutional rules
- \_\_\_\_\_ 17. Institution's tuition refund and student enrollment cancellation policies
- \_\_\_\_\_ 18. The extent to which job placement services are available
- \_\_\_\_\_ 19. Institution's policies for credit hour transfers and advanced standing examinations

I certify that the attached catalog contains all information and items checked above. I further certify that each student will receive a copy of the catalog at the time of enrollment.

\_\_\_\_\_  
Signature of authorized administrative official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or clearly print Name and Title

### PART III: INSTRUCTION

A. Maximum number of students that can be accommodated at any one time \_\_\_\_\_

B. Number of full-time instructors \_\_\_\_\_ Part-time instructors \_\_\_\_\_

Are course grades issued to students?      Yes     No

How do you determine satisfactory academic progress. Check all that apply.

- \_\_\_\_\_ Periodic review by staff
- \_\_\_\_\_ Class attendance
- \_\_\_\_\_ Academic performance
- \_\_\_\_\_ Personal management skills

If yes, state frequency: \_\_\_\_\_

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Are certificates, diplomas and/or degrees offered for each course/programs?    Yes     No

**The following items must be included:**

1. Completed Instructor Qualification form for each Instructor
2. Course Outline and syllabus for each course taught
3. Degree granting only: Complete description of program to be reviewed and all courses included
4. Grading policy and forms used to record grades \*\*
5. Attendance policy and forms to track attendance \*\*
6. Copy of Certificate, Degree, Diploma awarded
7. Completed Program Inventory Form

**\*\* May not be applicable for on-line, home study or test preparation schools.**

**Kansas Board of Regents  
Instructor Qualification Record**

**Name of Institution:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City/state/zip:** \_\_\_\_\_

**Employee** \_\_\_\_\_ **Employment Date** \_\_\_\_\_

**Position** \_\_\_\_\_ **Full time** \_\_\_\_\_ **Part Time** \_\_\_\_\_

*Education, training, and licenses related to this position*

<b>Institution Name and Address</b>	<b>Course</b>	<b>Total clock/Semester hrs</b>	<b>License, certificate, degree awarded</b>

**Attach a copy of your *Resume OR Faculty Personnel Report***

*Subject(s) to be taught by this instructor*

<b>Subject</b>	<b>Clock Hours</b>	<b>Semester Hours</b>	<b>Quarter Hours</b>

I certify the above information pertaining to my education or work experience is true and correct.

\_\_\_\_\_  
Signature of Instructor/Supervisor

I certify that the institution has verified the information on this form and it is true and correct.

\_\_\_\_\_  
Signature and title of Institution Official



## PART IV: STUDENT SERVICE

### Placement

List names and addresses of three firms who have employed one or more of your graduates within the last year (12 months).

Name	Address (Street, City, State, Zip Code)
1.	
2.	
3.	

List placement services provided for students.

- 1.
- 2.
- 3.
- 4.
- 5.

Do you record placement rates?    Yes     No

When considering placement services, remember that you may not guarantee placement to anyone, however, services such as help with writing resume, interviewing skills, contacts with known employers, inviting prospective employers to your institution are very much in order.

## PART V: REFERENCES

List three (or more) persons who must be associated with a firm, who may be used as confidential references as related to this application.

Name of person/firm with Contact Person

Mailing Address:

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Be certain that these people understand that this is a serious matter which will need prompt attention.

They may indeed be contacted by letter and asked to respond on your behalf.

**Part VI: NOTARIZED SIGNATURE**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, being duly sworn,

on oath do say that the statements and representations made by me in the foregoing statement  
are true in every respect.

Signature: \_\_\_\_\_

Official Position: \_\_\_\_\_

Signed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

in the county of \_\_\_\_\_ in the state of \_\_\_\_\_.

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

**FEE SCHEDULE**

**PLEASE CALL 785-296-3422 FOR CURRENT FEE SCHEDULE**

Bond Number \_\_\_\_\_

**Kansas Board of Regents  
1000 S.W. Jackson Street  
Suite 520  
Topeka, KS 66612-1368**

**BOND FOR KANSAS PRIVATE OR OUT-OF-STATE INSTITUTIONS**

**KNOW ALL MEN BY THESE PRESENT:** That we, \_\_\_\_\_

\_\_\_\_\_  
(Name and Address of Institution)

as principal, and \_\_\_\_\_

\_\_\_\_\_  
(Name and Address of Corporate Surety)

a corporation duly organized and existing under and by virtue of the laws of the state of \_\_\_\_\_, and authorized to do business in the state of Kansas, as surety, are held and firmly bound for the use and benefit of the Kansas Board of Regents, for expenses or damages as may be suffered by breach thereof, in the penal sum of Twenty Thousand and no/100 Dollars (\$20,000.00), lawful money of the United States, for payment of which, well and truly made, we bind ourselves, our heirs, executors, administrators, guardians, legatees, trustees, creditors, successors, assigns and legal representatives, jointly and severally by these presents.

Whereas, the above named principle, operating a proprietary institution, has made application for a certificate of approval in compliance with the Kansas private and out-of-state postsecondary educational institution act for a term of one year and this surety bond is to cover the term of and certificate of approval, ending on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Now, therefore, the condition of this obligation is such that if the certificate of approval is issued to the said principal and if the private postsecondary institution closes, the institution's principal and the officers, agents, representatives or employees, upon closure of the proprietary institution, shall deliver or make available to the Kansas Board of Regents the records of all students who are in attendance at the institution at the time of closure and who have attended the institution at any time prior to closure. In addition, the said principal and its officers, and the said surety, shall pay all expenses or damages which the Kansas Board of Regents may sustain in gaining possession of said student records, and for all expenses necessary for permanent retention and maintenance of said student records by the Kansas Board of Regents. If all above conditions of this obligation are met, then the above obligation shall be null and void; otherwise it shall be and remain in full force and effect.

**IN WITNESS WHEREOF**, the principal and surety have hereunto set their hands this \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_\_.

By \_\_\_\_\_  
Principal

By \_\_\_\_\_  
Attorney-in-Fact (Surety)

By \_\_\_\_\_  
Kansas Resident Agent (Surety)

(Attach certified copy of Power of Attorney)

**KANSAS BOARD OF REGENTS  
1000 S.W. Jackson St.  
Suite 520  
Topeka, KS 66612-1368**

<input type="checkbox"/> Initial
<input type="checkbox"/> Renewal

**Application for Private Postsecondary School Representative Registration**

All representatives of a private postsecondary school shall register with the State Board. Registration shall be effective upon notice from the State Board and shall remain in effect until expiration of the Certificate of Approval of the school employing such representative. If any answers are omitted, the application is incomplete and will be returned for completion before processing.

**PART I and AFFIDAVIT OF APPLICATION must be completed and signed by applicant. (MUST BE NOTORIZED)  
PART II must be completed and signed by a responsible official of the school**

**PART I – TO BE COMPLETED BY APPLICANT (School Representative)**

Name \_\_\_\_\_ Home Phone \_\_\_\_\_ Date \_\_\_\_\_

Home Address \_\_\_\_\_  
Street City State Zip Code

Kansas Address (if any) \_\_\_\_\_

Name of School representing \_\_\_\_\_ School Phone \_\_\_\_\_

Address of school \_\_\_\_\_  
Street City State Zip Code

Length of time employed by school to date \_\_\_\_\_ Do you have duties in addition to soliciting students? Yes  No

If yes, please explain \_\_\_\_\_

**EDUCATION**

Name of H.S., College, & Other	Diploma, Degree or certificate

Place or places of your residence during the five years immediately preceding the date of the application	Date(s)

**EMPLOYMENT**

Employers for no less than the five years immediately preceding the date of application. Use an additional sheet of paper if necessary. If self-employed, explain fully.

Employing Firm \_\_\_\_\_ Address \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_ Position \_\_\_\_\_

Nature of Business \_\_\_\_\_

Reason for Leaving \_\_\_\_\_

Employing Firm \_\_\_\_\_ Address \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_ Position \_\_\_\_\_

Nature of Business \_\_\_\_\_

Reason for Leaving \_\_\_\_\_

Employing Firm \_\_\_\_\_ Address \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_ Position \_\_\_\_\_

Nature of Business \_\_\_\_\_

Reason for Leaving \_\_\_\_\_

**REFERENCES**

Names, addresses, and occupations of three people as your own references:


Have you ever been convicted of a felony? Yes  No   
If yes, list all such cases below:

\_\_\_\_\_

\_\_\_\_\_

Should your employment with the above named school be terminated for any reason, do you agree to immediately return to the school the representative registration card for which you are applying, or any subsequent renewals thereof?  
Yes  No

Has any registration which was issued to you by this board ever been revoked for cause? Yes  No

Are you completely familiar with the requirements and limitations of the Kansas Proprietary School Act (K.S.A. 72-4916 et seq) and Rules and Regulations? Yes  No

**AFFIDAVIT OF APPLICANT (REPRESENTATIVE)**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ (Name) being duly sworn, deposes and says that he/she is the applicant named above; that he/she has read the foregoing application and that the statements herein are true to the best of his/her knowledge, information and belief.

Signature of applicant: \_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public County State

My commission expires \_\_\_\_\_

**PART II- TO BE COMPLETED BY RESPONSIBLE OFFICIAL OF THE SCHOOL**

Name of Applicant \_\_\_\_\_

Subject to possession of the representative's registration for which application is being made, will the applicant named above be employed by your school to enroll students in Kansas ? Yes  No

Should the applicant's employment with the school be terminated, do you agree to return to us, at the earliest possible date, the representative's registration? Yes  No

Signature of Responsible Official of School Title

Name of School Date

**PLEASE CALL 785-296-3422 FOR CURRENT FEE SCHEDULE**