

# Kansas Register

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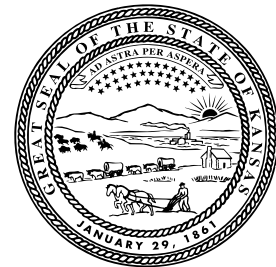
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 Photo by Todd Caywood

State of Kansas

**Pooled Money Investment Board**

**Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d) and K.S.A. 12-1675a(g).

**Effective 2-27-23 through 3-5-23**

Term	Rate
1-89 days	4.58%
3 months	4.82%
6 months	4.99%
12 months	5.09%
18 months	4.97%
2 years	4.70%

Scott Miller  
Director of Investments

Doc. No. 050917

State of Kansas

**Secretary of State**

**Notice of Code Mortgage Rate for March 2023**

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of March 1-31, 2023, is 12 percent. The reference rate referred to in the definition of "code mortgage rate" set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Scott Schwab  
Secretary of State

Doc. No. 050918

State of Kansas

**Wichita State University**

**Notice of Intent to Lease Real Property**

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and Internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance WSU's vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU's educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up,

WSU curriculum or program support, community benefit commitments, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU and the surrounding community, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at [crystal.stegeman@wichita.edu](mailto:crystal.stegeman@wichita.edu). This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman  
University Property Manager  
Office of the Vice President for  
Administration and Finance  
Wichita State University

Doc. No. 050836

State of Kansas

**Wichita State University**

**Notice of Intent to Lease Real Property**

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University's campus designated as the "Innovation Campus," for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university's educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed pro-

*(continued)*

posal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at [john.tomblin@wichita.edu](mailto:john.tomblin@wichita.edu) or Property Manager Crystal Stegeman at [crystal.stegeman@wichita.edu](mailto:crystal.stegeman@wichita.edu). This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman  
University Property Manager  
Office of the Vice President for  
Administration and Finance

Doc. No. 050837

## State of Kansas

### Department of Agriculture Division of Conservation

#### Notice of Requested On-Call Engineered Design Services

The Kansas Department of Agriculture, Division of Conservation is seeking contractors who can provide on-call engineered design services for streambank stabilization and restoration projects. These services would include project site surveys, stabilization and restoration design, project construction oversight, and project check-out. The contractor does not necessarily need to be an engineer themselves but must have the capability to provide engineered stamped plans/services for assigned projects. Project focus areas are currently the watersheds above Tuttle, Perry, and John Redmond reservoirs.

Contract specifications and qualifications can be found at <https://agriculture.ks.gov/divisions-programs/division-of-conservation/riparian-wetland-streambank>.

Design proposals will be accepted via email through Friday, March 17, 2023. For additional information or to submit design proposals please contact Kristin Kloft, at [kristin.a.kloft@ks.gov](mailto:kristin.a.kloft@ks.gov) or 785-370-1585.

Andrew Lyon  
Executive Director  
Division of Conservation  
Department of Agriculture

Doc. No. 050890

## State of Kansas

### Board of Regents Universities

#### Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids, or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

**Emporia State University** – Bid postings: <https://www.emporia.edu/about-emporia-state-university/business-office/purchasing>. Additional contact info: phone: 620-341-5137, email: [purchaseorders@emporia.edu](mailto:purchaseorders@emporia.edu). Mailing

address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Cir., Emporia, KS 66801.

**Fort Hays State University** – Electronic bid postings: <http://www.fhsu.edu/purchasing/bids>. Additional contact info: phone: 785- 628-4251, email: [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu). Mailing address: Fort Hays State University Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

**Kansas State University** – Bid postings: <https://dfs.ksucloud.net/rfq>. All bids must be submitted via Kansas State University's Vendor Bid Submission Secure File Upload portal, <https://www.k-state.edu/finsvcs/purchasing/bidsubmission.html>. Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506. Additional contact info: phone: 785-532- 6214, email: [kspurch@k-state.edu](mailto:kspurch@k-state.edu).

**Pittsburg State University** – Bid postings: <https://www.pittstate.edu/office/purchasing>. Additional contact info: phone: 620-235-4167, email: [swburke@pittstate.edu](mailto:swburke@pittstate.edu). Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762.

**University of Kansas** – Electronic bid postings: <http://www.procurement.ku.edu>. Due to Covid-19, the University of Kansas will not accept paper bids until further notice. Additional contact info: email: [purchasing@ku.edu](mailto:purchasing@ku.edu). Mailing address: University of Kansas, Procurement Department, 1246 W. Campus Rd., Room 20, Lawrence, KS 66045.

**University of Kansas Medical Center** – Electronic bid postings: <http://www.kumc.edu/finance/purchasing/bid-opportunities.html>. Additional contact info: phone: 913-588-1117. Email: [hunkemoore@kumc.edu](mailto:hunkemoore@kumc.edu). Due to Covid-19, the University of Kansas Medical Center will not be accepting paper bids until further notice.

**Wichita State University** – Bid postings: [https://www.wichita.edu/services/purchasing/Bid\\_Documents/Bid\\_Documents.php](https://www.wichita.edu/services/purchasing/Bid_Documents/Bid_Documents.php). Additional contact info: phone: 316-978-3080, fax: 316-978-3738, email: [purchasing.office@wichita.edu](mailto:purchasing.office@wichita.edu). Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 38, Wichita, KS 67260-0038.

Ephrom Marks  
Assistant Director  
Purchasing/Strategic Sourcing  
University of Kansas

Doc. No. 050524

## State of Kansas

### Department of Administration Office of Procurement and Contracts

#### Notice to Bidders

Sealed bids for items listed will be received by the Office of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

All bids are to be submitted via email only to [procurement@ks.gov](mailto:procurement@ks.gov). For more information, please visit [https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL).

03/06/2023	EVT0009005	Dental Anesthesia Service
03/07/2023	EVT0008982	Data Warehouse for claims of Health/Self Insurance
03/07/2023	EVT0009030	Truck Beds
03/10/2023	EVT0009014	Pharmacy Services – Parsons State Hospital
03/10/2023	EVT0009023	SHICK Coordinator Conference
03/10/2023	EVT0009025	Driver’s License Vision Tester
03/14/2023	EVT0009024	Cessna Aircraft Support Programs
03/14/2023	EVT0009028	International Development Representative
03/15/2023	EVT0009031	Preferred Labs
03/16/2023	EVT0009037	Registered Municipal Financial Advisor
03/18/2023	EVT0009018	Airbus Support Programs
03/23/2023	EVT0008930	Identity and Access Management – OITS
03/29/2023	EVT0009013	Substance Use Disorder and Problem Gambling Services
03/31/2023	EVT0009045	Docket Management System – Kansas Corporation Commission
03/31/2023	EVT0009049	Replacement of Enterprise Resource Planning System
04/06/2023	EVT0009053	Insurance, Aircraft – Kansas Highway Patrol

The above referenced bid documents can be downloaded at the following website:

[https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL)

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

03/07/2023	A-014741	Ellsworth Correctional Facility Administrative Building Partial Reroof BLDG NO. 17700-00001 Ellsworth, KS
03/09/2023	A-013928REV	Parsons State Hospital and Training Center Spruce Cottage Renovations BLDG NO. 50700-00033 Parsons, KS
03/07/2023	A-014715	Kansas State School for the Blind Brighton Recreation Center BLDG NO. 60400-00061 Kansas City, KS
03/14/2023	A-014548	Office of Facilities and Property Management Landon State Office Building West Roof Replacement BLDG NO. 17300-00004 Topeka, KS

Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Todd Herman  
Director  
Office of Procurement and Contracts  
Department of Administration

Doc. No. 050931

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Evergy, Inc. – Emporia Energy Center has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Evergy, Inc. – Emporia Energy Center, 818 S. Kansas Ave., Topeka, KS 66612, owns and operates an electric power generation facility that is natural gas fired located at 1685 Road 200, Emporia, KS 66801.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southeast District Office, 308 W. 14th St., Chanute, KS 66720. To obtain or review the proposed permit and supporting documentation, contact Matthew Reynolds, 785-296-1719, at the central office of the KDHE or Ryan Jack, 620-431-1211, at the Southeast District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Matthew Reynolds, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, April 3, 2023.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Matthew Reynolds, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, April 3, 2023, in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency (EPA) has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA’s 45-day review period. Interested parties may contact KDHE to determine if the EPA’s 45-day review period has been waived.

(continued)

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, phone 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 050919

## State of Kansas

### Department of Health and Environment

#### Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Kansas State University – Manhattan has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Kansas State University – Manhattan, 1810 Kerr Dr., 108 Edward Hall, Manhattan, KS 66506, owns and operates an educational institute of higher learning that operates a power plant, engines, and research mills located at 1810 Kerr Dr., 108 Edward Hall, Manhattan, Riley County, KS 66506.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the North Central District Office, 2501 Market Pl., Suite D, Salina, KS 67401. To obtain or review the proposed permit and supporting documentation, contact Josephine Boac, 785-296-6281, at the central office of the KDHE or Jessica Fair, 785-827-9639, at the North Central District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Josephine Boac, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, April 3, 2023.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Josephine Boac, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, April 3, 2023, in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency (EPA) has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Keith Johnson, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, phone 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 050922

## State of Kansas

### Department of Health and Environment

#### Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

**Public Notice No. KS-AG-23-047/051**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Windmill Ranch, LLC 7800 NW Tawakoni Rd. Whitewater, KS 67154	SW/4 of Section 24 & NW/4 of Section 25 & NE/4 of Section 26 T24S, R03E Butler County	Walnut River Basin

Kansas Permit No. A-WABU-C002  
Federal Permit No. KS0037567

The proposed action is to reissue an existing NPDES permit for an existing facility for 20,000 head (20,000 animal units) of beef cattle weighing more than 700 pounds. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Circle Bar Heifer Ranch, LLC Vance Kells 842 60th Rd. Satanta, KS 67870	S/2 of Section 29 T27S, R33W Haskell County	Upper Arkansas River Basin

Kansas Permit No. A-UAHS-C002  
Federal Permit No. KS0096466

The proposed action is to reissue an existing NPDES permit for an existing facility for 28,000 head (28,000 animal units) of cattle weighing greater than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Roenbaugh Cattle Pens Jacob W. Roenbaugh 2751 S Rd. Haviland, KS 67059	N/2 of Section 04 T26S, R16W Edwards County	Lower Arkansas River Basin

Kansas Permit No. A-ARED-C006  
Federal Permit No. KS0097543

The proposed action is to reissue an existing NPDES permit for an existing facility for 1,500 head (1,500 animal units) of cattle weighing greater than 700 pounds, and 8 head (16 animal units) of horses; for a total of 1,516 animal units of livestock. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Mills Dairy Jeff Mills 15777 W. 191st St. Spring Hill, KS 66083	SW/4 of Section 35 T18S, R23E Miami County	Marais des Cygnes River Basin

Kansas Permit No. A-MCMI-M015

The proposed action is to reissue an existing state permit for an existing facility for 120 head (168 animal units) of mature dairy cattle, 32 head (32 animal units) of dairy heifers and bulls weighing more than 700 pounds and 26 head (13 animal units) of dairy calves weighing less than 700 pounds, for a total of 213 animal units of dairy cattle. There will be no change in the operation or permitted number of animal units from the previous permit. Facility is currently inactive. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Rocking Heifer – Ulysses 430 E. Road 4 Ulysses, KS 67880	SW/4 of Section 15 & NW/4 of Section 22 T27S, R37W Grant County	Cimarron River Basin

Kansas Permit No. A-CIGT-C005  
Federal Permit No. KS0093670

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 24,000 head (24,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to include the addition of eight (8) new land application fields. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

**Public Notice No. KS-Q-23-025/029**

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Mastercraft Pattern 1912 N. Elm Pittsburg, KS 66762	Cow Creek via unnamed tributary	Processed Wastewater

Kansas Permit No. C-NE57-0003  
Federal Permit No. KS0091901

Legal Description: E½, NW¼, NE¼, Section 7, Township 31S, Range 25E of Crawford County, Kansas

Facility Location: Latitude: 37.36592, Longitude: -94.71183

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: a Norweco "Modulair" activated sludge plant with chlorination and dechlorination. The facility serves Mastercraft Pattern industrial facility. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, and E. coli; as well as monitoring for Ammonia, Nitrates + Nitrites, Total Kjeldahl Nitrogen, Total Nitrogen, and Total Phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
N.R. Hamm Quarries, Inc. 609 Perry Pl. Perry, KS 66073-0017	Kansas River via Vermillion Creek via Indian Creek via unnamed tributary	Processed Wastewater

Kansas Permit No. I-KS79-PO02  
Federal Permit No. KS0080977

Legal Description: S ½ of Section 3, N ½ and SE ¼ of Section 10, NW ¼ of Section 11, Township 7S, Range 10E of Pottawatomie County, Kansas

Facility Location: Latitude: 39.45878, Longitude: -96.28181

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation, with some washing. Outfall 001A was eliminated, when a portion of the quarry was reclaimed. Outfalls 002A and 004A consists of treated wash water and stormwater runoff, which is treated a series of settling ponds. Outfalls 003A and 005A consists of stormwater runoff from exposed areas of the quarry. An asphalt plant is on-site, but is dry and does not discharge any water. The proposed permit contains limits for Total Suspended Solid.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Americus, City of PO Box 526 Americus, KS 66835	Pester Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE02-0001  
Federal Permit No. KS0047406

(continued)

Legal Description: SW¼, Section 12, Township 18S, Range 10E of Lyon County, Kansas

Facility Location: Latitude: 38.49696, Longitude: -96.25720

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas. The detention time at design flow is 164 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH and E. coli.

Name and Address of Applicant	Receiving Stream	Type of Discharge
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Harshman Construction 1632 F P Rd. Cedar Point, KS 66843	Verdigris River via Fall River via unnamed tributary	Processed Wastewater
----------------------------------------------------------------	------------------------------------------------------	----------------------

Kansas Permit No. I-VE17-PO03  
Federal Permit No. KS0200005

Legal Description: NW 1/4, Section 11, Township 28S, Range 12E of Greenwood County, Kansas

Facility Location: Latitude: 37.62940, Longitude: -96.05879

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation that occasionally washes rock, but all wash water is sent to a sedimentation pond, which does not discharge. Outfalls 001A consists of pit water and stormwater runoff and discharges to a waterway before discharging to the Fall River. An asphalt plant is on-site, but it does not use water. The proposed permit contains generic language to protect the waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
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Nelson Quarries, Inc. PO Box 100 Gas, KS 66742	Neosho River via Rock Creek via unnamed tributary	Processed Wastewater
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Kansas Permit No. I-NE78-PO01  
Federal Permit No. KS0099210

Legal Description: SW ¼ of Section 36, Township 26S, Range 21E of Bourbon County, Kansas

Facility Location: Latitude: 37.73434, Longitude: -95.06698

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation, no rock washing. Outfall 001A and 002A consists of treated wash water and stormwater runoff. The proposed permit contains generic language to protect the waters of the state.

**Public Notice No. KS-PT-23-001/003**

The requirements of the draft permit public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

Name and Address of Applicant	POTW Receiving Wastes	Type of Discharge
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Schenck Process Holding North America 810 S. Old Hwy. 75 Sabetha, KS 66534	Sabetha WWTP	Processed Wastewater
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Kansas Permit No. P-KS65-0002  
Federal Permit No. KSP000201

Facility Address: 810 S. Old Hwy. 75, Sabetha, KS 66534

Facility Location: Latitude: 39.89500, Longitude: -95.28921

The proposed action is to issue a new State/NPDES permit for a new facility. This facility manufacturers various types of pneumatic material handling equipment made of stainless steel. These metal parts are processed in one of two wash bays, using a conversion coating operation, to prepare the metal for paint or to clean the metal parts. Outfall 001A consists of spent wastes from two wash bays that discharges to two, 500-gallon plastic holding tanks in series, before discharging to the city sanitary sewer. The proposed permit contains limits for Flow, pH, Total Toxic Organics, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, and Cyanide. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

Name and Address of Applicant	POTW Receiving Wastes	Type of Discharge
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Sigma Tek, Inc. 1001 Industrial Rd. Augusta, KS 67010	Augusta WWTP	Processed Wastewater
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Kansas Permit No. P-WA03-0001  
Federal Permit No. KSP000204

Facility Address: 1001 Industrial Rd., Augusta, KS 67010

Facility Location: Latitude: 37.68205, Longitude: -96.96502

The proposed action is to issue a new State/NPDES permit for an existing facility. This facility manufacturers various types of avionic equipment made of aluminum for the aircraft industry. These metal parts are processed (dipped) in a series of chemical tanks, which is the chem film operation, which is a type of conversion coating. Two tumblers are also used occasionally. Outfall 001A consists of spent wastes discharged to a sediment pit at the end of the chem film operation, before the wastewater discharges to the city sanitary sewer. The proposed permit contains limits for Flow, pH, Total Toxic Organics, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, and Cyanide. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

Name and Address of Applicant	POTW Receiving Wastes	Type of Discharge
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Yoder Smokers, Inc. 1816 E. Wasp Rd. Hutchinson, KS 67501	Reno County S.D. #202	Processed Wastewater
-----------------------------------------------------------------	-----------------------	----------------------

Kansas Permit No. P-AR98-0003  
Federal Permit No. KSP000203

Facility Address: 1816 E. Wasp Rd., Hutchinson, KS 67501

Facility Location: Latitude: 37.92197, Longitude: -97.89445

The proposed action is to issue a new State/NPDES permit for a new facility. This facility manufacturers various types of wood smokers and charcoal grills. The metal parts are processed in a wash bay, using a conversion coating operation, to prepare the metal for paint. Outfall 001A consists of spent wastes from the conversion coating operation that discharges to a sump pit, before discharging to the sanitary sewer. The proposed permit contains limits for pH, Total Toxic Organics, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, and Cyanide. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this new facility for increased concentrations and mass of some pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

**Public Notice No. KS-EG-23-003**

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.



**Name and Address of Applicant**

Underground Cavern Stabilization, LLC  
 PO Box 225  
 Great Bend, KS 67530

Permit No. KS-01-155-012

Legal Description: Section 14, Township 24 South, Range 6 West of Reno County, Kansas.

Well Number	Location
AMDW #2:	Latitude: 37.9647694, Longitude: -97.9502389

The proposed action is for a modification of an existing permit pertains to the deep Underground Injection Control (UIC) Class I disposal well located at Latitude: 37.9647694, Longitude: 97.9502389; Section 14, Township 24 South, Range 6 West, in Reno County, Kansas. The permittee would be authorized to inject non-hazardous liquid wastes generated from on-site and off-site sources. On-site liquid waste consists of fluids generated by the ACS facility and include waste brine displaced from the salt cavern emplacement process. Off-site liquid waste consist non-hazardous fluids not generated by the ACS facility and are transported to the facility for disposal including but not limited to saturated brines and salt water, pipeline test and cleanout wastewater, oily water, oil water separators, contaminated storm water, acidic wastewater, caustic wastewater, chemical wastewater, rail car or tanker washout water, coolant wastewater, pesticide waste fluid, and landfill leachate. The Arbuckle group is a sequence of dolomites, limestones and occasional sandstone units which are extensively used for disposal of oil field brine and treated industrial wastewater. In well AMDW #2, the Arbuckle is at least 550 feet thick and the top of the sequence is encountered at a depth of approximately 4,200 feet. All construction, monitoring, and operation of this well meet the requirements that apply to Class I injection wells as outlined in Kansas Administrative Regulations (K.A.R.) for Underground Injection Control, K.A.R. 28-46-1 through 28-46-45. The permittee must agree to all conditions stated in the final permit as required by the Department.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before April 2, 2023, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-23-047/052, KS-Q-23- 23-025/029, KS-PT-23-001/003, KS-EG-23-003) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Paige Drury, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should

be sent to Michael Beezhold at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at [kdhe.feedlots@ks.gov](mailto:kdhe.feedlots@ks.gov). For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-6804 or email at [Neal.Niceswanger@ks.gov](mailto:Neal.Niceswanger@ks.gov). These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek  
 Secretary

Department of Health and Environment

Doc. No. 050923

**State of Kansas**

**Department of Health and Environment**

**Notice of Rescheduled Hearing**

The Kansas Department of Health and Environment (KDHE) has prepared a modified Kansas Water Pollution Control Permit, A-KSLV-S020 for Dustin Torneden, located in Lawrence, Kansas.

This is a new permit for the construction and operation of a confined feeding facility with a proposed 652 head (260.8 animal units) of swine weighing more than 55 pounds, 380 head (38 animal units) of swine weighing less than 55 pounds for a facility total of 298.8 animal units of swine. Proposed modifications include the decommissioning of the dairy operation, installation of four hoop structures, two swine farrowing barns, and one swine nursery building. Waste containment for the swine buildings will be split between shallow building pits, and an additional 6,000-gallon storage tank. Waste containment from the hoop structures is managed via dry bedding, and exterior pens managed with a grass buffer. The facility is located in the Southwest Quarter of Section 12, Township 12 South, Range 20 East in Leavenworth County, Kansas. A notice in the *Kansas Register* dated February 16, 2023, informed the public of the availability of the proposed water pollution control permit for Dustin Torneden.

Copies of the permit application, draft permit, and other documents may be viewed in person at the Topeka office by scheduling an appointment or requested by writing to Kansas Department of Health and Environment, Livestock Waste Management Section, 1000 SW Jackson St., Suite 430, Topeka, KS 66612, via telephone at 785-296-6432, or fax at 785-559-4258. A copy of the per-

*(continued)*

mit application can be found at <http://www.kdhe.ks.gov/livestock>. Appropriate copying charges will be assessed for each request. The public hearing has been scheduled in conformance with Kansas Administrative Regulation 28-16-61.

A public hearing on the Dustin Torneden proposed permit has been scheduled from 5:00 p.m. to 6:00 p.m. (Central Time) Tuesday, April 4, 2023, at the Linwood Community Center, 105 E. 3rd St., Linwood, KS 66052.

The purpose of the public hearing is to inform the public, stakeholders, and regulated community about the proposed water pollution control permit. The hearing will consist of outlining the proposed facility and proposed permit, then the hearing will be open for public comment. Public comment time may be limited based on individuals in attendance. Any individual with a disability may request accommodation to participate in the public hearing process and may request the provided documents in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting KDHE.

Questions or written comments should be directed to Erich Glave, Director, Bureau of Environmental Field Services at Kansas Department of Health and Environment, 1000 SW Jackson St., Suite 430, Topeka, KS 66612-1367, by email at [kdhe.feedlots@ks.gov](mailto:kdhe.feedlots@ks.gov), by telephone at 785-296-6432.

Individuals are also encouraged to participate during the public comment period by submitting written comments by email, postal mail, or fax to the addresses specified above before the close of the public comment period that will conclude March 18, 2023, or at the end of the public hearing on April 4, 2023.

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 050924

## State of Kansas

### Department of Health and Environment

#### Notice of Water Quality Certification

The Kansas Department of Health and Environment (KDEH) has drafted a water quality certification per Section 401 of the Clean Water Act (CWA) requested by United States Army Corps of Engineers (USACE) per Public Notice No. RGP-41 (2007-2078) at <https://usace.contentdm.oclc.org/utills/getfile/collection/p16021coll15/id/370>. The applicant proposes the renewal of the issuance of a conditional Section 404 Dredge and Fill Permit for activities implemented by the public, local, state, and federal agencies for permanent protection or repair/restore flood damages to/on those properties. This may include repair of levees to pre-damaged elevation and cross-section dimensions, including breach closure and borrow operations to obtain fill, the placement of rock for stream/ditch bank protection and bank restoration, and the restoration of stream channels/ditches to pre-flood capacity and alignment (removal of sediment and woody debris) replacement of bridges and public utilities infrastructure.

The draft certification and additional information containing the link to the USACE Public Notice will be posted on the KDHE website at <https://www.kdhe.ks.gov/1095/Section-401-Water-Quality-Certification> on or before March 2, 2023. Persons wishing to comment on the referenced draft document must submit their comments in writing by email to KDHE at [KDHE.NPS@ks.gov](mailto:KDHE.NPS@ks.gov) by March 30, 2023, if they wish to have their comments considered in the formulation of final determinations for 401 regarding this public notice.

For more information, contact Scott Satterthwaite, Watershed Management Section, Bureau of Environmental Field Services, KDHE at [Scott.Satterthwaite@ks.gov](mailto:Scott.Satterthwaite@ks.gov).

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 050925

## State of Kansas

### Department of Health and Environment

#### Notice of Water Quality Certification

The Kansas Department of Health and Environment (KDHE) has drafted a water quality certification per Section 401 of the Clean Water Act (CWA) requested by United States Army Corps of Engineers (USACE) per Public Notice No. NWK-2022-00932 for RSN Farms/Tollefson Family Farms Streambank Rehabilitation Project—Jefferson County, Kansas at <https://usace.contentdm.oclc.org/utills/getfile/collection/p16021coll15/id/1033>. The applicant proposes rehabilitate 4,300 feet of the eroding left descending streambank of the Kansas River located in Lots two (2) and Three (3) of Survey Thirteen (13) of the Kaw Half Breed Indian Lands in Jefferson County, State of Kansas. This project will require the placement of 13,043 tons of limestone rock and/or clean concrete rubble will be placed in the Kansas River to reduce erosion along the riverbank. This entails an estimated 19 rock weirs and 3,558 feet of longitudinal peaked stone-toe protection (LPSTP) being placed in the river and along the left edge of the water. All disturbed areas will be seeded and mulched with native grasses, trees, and shrubs.

The draft certification and additional information containing the link to the USACE Public Notice will be posted on the KDHE website at <https://www.kdhe.ks.gov/1095/Section-401-Water-Quality-Certification> on or before February 23, 2023. Persons wishing to comment on the referenced draft document must submit their comments in writing by email to KDHE at [KDHE.NPS@ks.gov](mailto:KDHE.NPS@ks.gov) by March 22, 2023, if they wish to have their comments considered in the formulation of final determinations for 401 regarding this public notice.

For more information, contact Scott Satterthwaite, Watershed Management Section, Bureau of Environmental Field Services, KDHE at [Scott.Satterthwaite@ks.gov](mailto:Scott.Satterthwaite@ks.gov).

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 050926

(Published in the Kansas Register March 2, 2023.)

Boylan Code, LLP

Notice of Court Citation

Surrogate's Court Form P-5. Includes fields for CITATION, COUNTY, and PROBATE CITATION. Contains handwritten notes: 'Amended dated 12/19/2022' and 'February 1, 2023'. Lists attorneys: Hon. Frederick G. Reed, Frederick Reed, Sheryl O'Leary, Edward C. Kenyon.

said property within six (6) months from the date of my death, then the property to which they have failed to agree upon shall be sold by my Executor at a public or private sale and the proceeds added to my residuary estate.

3.3 X I may leave a memorandum (which is not to be part of this Will), listing some of the items of personal property which I own, that I wish certain persons to have and request (but do not require) that my wishes, as set forth in the memorandum be observed.

3.4 X If any beneficiary is a minor at the time of such division, the person having custody of such beneficiary shall represent him or her for all purposes under this Article and the receipt of such person for the distributable share of such minor shall be a complete acquittance of my Executor.

Article IV: Residue of Estate

4.1 All the rest, residue and remainder of my estate, real, personal and mixed, in possession or in expectancy at the time of my death, I give, devise and bequeath to:

- A. Hugh Williams - Step Son
B.
C.

In the disbursement of the funds for the benefit of any beneficiary who shall be a minor or under legal disability or a person not adjudicated an incompetent, but who by reason of illness or mental or physical disability is, in the opinion of my Executor, unable to administer such funds, my Executor may make payment in such of the following ways as in its opinion will be most desirable: (1) directly to such beneficiary; (2) to the parent, guardian, or such other person as may have legal custody of the beneficiary; (3) to some near relative or friend of such beneficiary; (4) to a custodian under a state's Uniform Gifts to Minors Act in accordance with the provisions of said Act; or (5) by the Executor using such payment directly for the benefit of such beneficiary. My Executor shall not be liable to see to the application of said payments by any such payee, and the receipt of such payee shall be a full acquittance of my Executor as to any amounts so paid.

Article V: Executor and Executive Powers

5.1 I hereby nominate and appoint the following individuals, in the order named, to act as Executor, of this my Last Will and Testament, for so long as they are willing and able to act:

- 1. Hugh Williams - Step-Son
2.

I direct that any individual Executor acting hereunder shall not be required to furnish surety on its bond for the faithful performance of its duties, such surety being hereby specifically waived.

5.2 X In addition to the powers hereinbefore given to my Executor, I give to my Executor, with respect to my estate, the following rights, powers, duties, discretions and immunities:

A. X To retain any property or undivided interests in property received by my Executor, regardless of any lack of diversification, risk or non-productivity;

Will Form

Non-Married Individual without Children

Last Will and Testament of Joseph Vargo
I, Joseph Vargo, of 8070 State Rt 245, Naples N.Y 14572 (state), County of Ontario, being of sound and disposing mind and memory, do make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils by me heretofore made.

Article I: Estate Administration and Expenses

- 1.1 X I direct that all my just debts, funeral expenses, and expenses of administration of my estate be paid as soon after my death as practicable.
1.2 X I further direct that all estate, inheritance and succession taxes (including interest and penalties thereon, if any) which shall become payable by reason of my death, shall be paid out of the principal of my residuary estate, without seeking reimbursement from or charging any person therefore.
1.3 X My Executor shall be permitted to obtain and pay for a marker for my grave and pay for the perpetual care thereof, in such manner and amounts as is commensurate with my station in life as my Executor in its sole discretion, shall determine.
1.4 X My Executor shall be permitted to pay all or any of said debts, funeral expenses, taxes and marker without requiring the filing of claims therefore nor the allowance thereof by any Court.
1.5 X Notwithstanding any provision of this Will or any statute to the contrary, my Executor, in its sole discretion, may use all or any portion of the income of my residuary estate received during the period of administration for purposes of the payment of said debts, funeral expenses, administration expenses, taxes and marker.

Article II: Family Information

2.1 X I am not married and have no children.

Article III: Specific Bequests of Real and/or Personal Property

- 3.1 I give and bequeath the All my worldly possessions to my Step-Son (relationship), Hugh Williams (name), of 8137 St. Rt. 245, Naples N.Y 14572 (state), County of Ontario, if said beneficiary survives me.
3.2 I give and bequeath all my automobiles, household furniture and furnishings, books, pictures, jewelry, watches, wearing apparel, and all other articles of household or personal use or ornament, which I own at the time of my death, not otherwise specifically bequeathed pursuant to Paragraphs 3.1, to my Step-Son (relationship), Hugh Williams (name) and (relationship) (name), to be divided in substantially equal shares between them in such manner as they shall agree, or if they shall fail to agree upon a division as to all or any of

B. X To invest and reinvest my estate in any property or undivided interests in property, wherever located, without being limited by any statute or rule of law concerning investments by Fiduciaries;

C. X To sell any property of my estate for cash or on credit at public or private sales, for any purpose; to exchange any trust property for other property; to grant options to purchase or acquire any such property; and to determine the prices and terms of sales, exchanges and options;

D. X To operate, maintain, repair, rehabilitate, alter, improve, or remove any improvements on real estate; to make leases and subleases for terms of any length, even though the terms may extend beyond the termination of my estate; to grant easements, give consents and make contracts relating to real estate or its use; to release or dedicate any interest in real estate;

E. X To borrow money with or without security and to mortgage or pledge any trust property;

F. X To employ attorneys, auditors, depositaries, proxies and agents, with or without discretionary powers, and to pay them reasonable compensation; to cause any securities or other property to be issued, held, or registered in my Executor's name or in the name of my Executor's nominee, or in such form that title will pass by delivery;

G. X To vote any corporate stock either in person or by proxy for any purpose; to exercise any conversion privilege, or subscription right with respect to securities; to take any action with respect to conserving or realizing upon the value of any trust property of my estate, and with respect to foreclosures, reorganizations or other changes affecting the property of my estate;

H. X To collect, pay, contest, compromise or abandon demands of or against my estate, wherever situated; and to execute contracts, conveyances and other instruments, including instruments containing covenants and warranties binding upon and creating a charge against my estate and containing provisions excluding personal liability;

I. X To make any distribution or division of the property in cash or in kind or both, and to determine the value of any such property;

J. X To enter into any transaction authorized by this Article with trustees, executors or administrators of any trusts or estate in which any heir at law of mine has any interest, even though any such trustee or representative is also executor hereunder;

K. X To make such elections under the tax laws applicable to my estate as may be deemed expedient and desirable, and no compensating adjustment between principal and income, nor with respect to any bequest or devise hereunder, shall be made by my Executor even though the elections so made may substantially affect (beneficially or adversely) the interest of the various beneficiaries in the principal or income of my estate, and the action of my Executor with respect to elections made shall be conclusive and binding upon all beneficiaries;

L. To disclaim any property or interest on my behalf without court approval;

M. To exercise any power now or hereafter conferred by the statutes of on the trustee of a trust having its situs in ; and

N. X In addition to the enumerated powers herein, to do all other acts in its judgment necessary or desirable for the proper administration of my estate, all of which may be executed without authorization by any Court.

(continued)

IN WITNESS WHEREOF, I, Joseph Vargo, have hereunto set my hand and seal to this my Last Will and Testament, this 27<sup>th</sup> day of June, 2000.

Joseph Vargo  
Testator's Signature

Signed, sealed, published and declared by the said testator, on the date aforesaid, as and for the testator's Last Will and Testament, consisting of \_\_\_\_\_ pages, in the presence of the undersigned, who, at the testator's request and in the testator's presence and in the presence of each other, have hereunto subscribed our names as witnesses thereto believing the testator to be of sound mind and memory.

Mattha W. Kelly  
Witness' Signature

8151 Rt. 245, Naples NY 14512  
Address

Dorothy D. Hardey  
Witness' Signature

1964 State Rt. 444 Victor N.Y. 14564  
Address

Mary M. Jerome  
Witness' Signature

6850 Presler Rd, Naples, N.Y. 14512  
Address

[Note: Only a few states require three witness signatures. Check with your state for its minimum number of witness signatures required to execute a will. Delete entire bracketed note before executing this will.]

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Patricia Stringer  
Paralegal  
Boylan Code, LLP

Doc. No. 050882

**State of Kansas**  
**Department for Children and Families**  
**Request for Proposals**

The Kansas Department for Children and Families (DCF) announces the release of the Grant Request for Proposal (RFP) for the Community Resource Capacity Program. Sealed bids will be accepted no later than 2:00 p.m. (Central Time) April 14, 2023. A complete copy of the RFP with details of important dates may be found at <http://www.dcf.ks.gov/Agency/Operations/Pages/OGC/Grant-RFP.aspx>, under "Grant Requests for Proposals (RFPs)." Additional files may be located at this website throughout the process, so please monitor on a regular basis for changes.

Laura Howard  
Secretary  
Department for Children and Families

Doc. No. 050921

**State of Kansas**  
**Kansas Development Finance Authority**

**Notice of Hearing**

A public hearing will be held at 9:00 a.m. March 16, 2023, in the conference room of Kansas Development Finance Authority (the "Authority"), 534 S. Kansas Ave.,

Suite 800, Topeka, Kansas, on the proposed issuance by the Authority in one or more series of revenue notes (the "Tax-Exempt Obligations") in a principal amount not to exceed \$12,500,000. The Tax-Exempt Obligations will be issued pursuant to K.S.A. 74-8901 *et seq.* (the "Act") to finance the acquisition and rehabilitation of an approximately 137-unit qualified residential rental project under Section 142 of the Internal Revenue Code comprised of three residential buildings, two of which are located at or about 623 Johnstown Ave. (currently known as Johnstown Towers), and one of which is located at 125 S. Oakdale Ave. (currently known as Oakdale Plaza), all in the City of Salina, Kansas, to be collectively renamed Oakdale Senior Village (the "Project"), the principal user of which will be OPG Oakdale Partners, LLC, a Kansas limited liability company (the "Borrower").

The Tax-Exempt Obligations will be limited obligations of the Authority, payable solely from revenues pledged by the Borrower, and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, nor will the Tax-Exempt Obligations constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged, but the Tax-Exempt Obligations will be payable solely from revenues pledged by the Borrower in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the Tax-Exempt Obligations.

Interested individuals may participate in the public hearing in person or via conference call. Please call toll free at 844-621-3956 and use access code 145 880 8929 followed by # to join the conference.

At the time and place fixed for the hearing, all individuals who appear will be given an opportunity to express their views for or against the proposal to issue the Tax-Exempt Obligations for the Project, and all written comments previously filed with the Authority at its above referenced offices will be considered. Additional information regarding the project may be obtained by contacting the Authority at the address of its offices shown above.

Rebecca Floyd  
President  
Kansas Development Finance Authority

Doc. No. 050920

(Published in the Kansas Register March 2, 2023.)

**City of Scott City, Kansas**

**Notice of Intent to Seek Private Placement**  
**\$50,000**  
**General Obligation Bonds**  
**Series 2023**

Notice is hereby given that the City of Scott City, Kansas (the "Issuer"), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$50,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the bonds and the passage of an ordinance and adoption of a resolution by the gov-

erning body of the Issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Ruth Becker  
City Clerk  
City of Scott City, Kansas

Doc. No. 050927

## State of Kansas

### Legislative Administrative Services

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced February 16-22 during the 2023 session of the Kansas Legislature. Full text of bills, bill tracking, and other information may be accessed at <http://www.kslegislature.org/li/>.

#### House Bills

**HB 2423**, AN ACT concerning civil actions and civil procedure; enacting the act against abusive access litigation; creating a civil action for determining whether litigation that alleges any access violation under the Americans with disabilities act or similar law constitutes abusive litigation and authorizing penalties for such abusive litigation, by Committee on Taxation.

**HB 2424**, AN ACT concerning taxation; relating to income, privilege and premium tax credits; establishing a refundable income tax credit for direct payments made by employers to student loans on behalf of a qualified employee, by Committee on Taxation.

**HB 2425**, AN ACT concerning income taxation; relating to credits; establishing a refundable income tax credit for tuition payments made to postsecondary educational institutions, by Committee on Taxation.

**HB 2426**, AN ACT concerning criminal procedure; relating to grand juries; authorizing appeals from certain decisions related to citizen-initiated grand juries; amending K.S.A. 2022 Supp. 22-3001 and 22-3008 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2427**, AN ACT concerning school districts; relating to school sponsored travel and activities; requiring separate overnight accommodations for students of each biological sex, by Committee on Federal and State Affairs.

**HB 2428**, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; providing for membership affiliation for certain security officers of the department of corrections and certain law enforcement officers and employees of the Kansas department of wildlife and parks; establishing employee and employer contributions, by Committee on Appropriations.

**HB 2429**, AN ACT concerning abortion; establishing the alternatives to abortion program and the alternatives to abortion public awareness program; providing services that promote childbirth to women facing unplanned pregnancies; promoting public awareness of such services, by Committee on Appropriations.

**HB 2430**, AN ACT concerning state agencies; relating to funds used to support unhoused individuals; providing requirements for the use of funds; requiring state agencies to provide funds for local subdivisions; creating the crime of unauthorized use of state lands and providing penalties therefor; restricting local subdivisions from adopting certain policies; enacting the safe cities act, by Committee on Federal and State Affairs.

**HB 2431**, AN ACT concerning alcoholic liquor; relating to public waters; allowing vessels that operate upon the Perry reservoir to be licensed as clubs or drinking establishments notwithstanding any zoning regulation or other regulation of any city, township or county; amending K.S.A. 41-2601, 41-2612 and 41-2702 and K.S.A. 2022 Supp. 41-719 and 41-2608 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2432**, AN ACT concerning postsecondary education; relating to tuition; providing for the waiver of tuition for certain children of qualifying public school teachers; deeming certain children of qualifying public school teachers as residents for tuition purposes; amending K.S.A. 76-729 and repealing the existing section, by Committee on Appropriations.

**HB 2433**, AN ACT concerning income taxation; relating to the determination of Kansas adjusted gross income; allowing a taxpayer to elect the taxable year in which a subtraction modification for contributions to a qualified tuition program would be applied; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

**HB 2434**, AN ACT concerning parimutuel wagering; relating to historical horse races; crediting tax revenue generated to the horse breeding development fund and the horse fair racing benefit fund; amending K.S.A. 2022 Supp. 74-8823 and repealing the existing section, by Committee on Taxation.

**HB 2435**, AN ACT concerning taxation; relating to sales and compensating use tax; reducing the rate of tax and further reducing the rate of tax on sales of food and food ingredients; providing an exemption for sales of children's diapers and feminine hygiene products; relating to STAR bonds; establishing the STAR bonds food sales tax revenue replacement fund and providing certain transfers thereto; altering the calculation for STAR bond districts; relating to income tax; discontinuing the food sales tax credit; amending K.S.A. 12-17,162 and K.S.A. 2022 Supp. 79-32,271, 79-3603, 79-3603d, 79-3606, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Taxation.

**HB 2436**, AN ACT concerning environmental, social and governance criteria involving public contracts and investments; enacting the Kansas public investments and contracts protection act; prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social and governance criteria in procuring or letting contracts; requiring fiduciaries of the Kansas public employees retirement system to act solely in the financial interest of participants and beneficiaries of the system; restricting state agencies from adopting environmental, social and governance criteria or requiring any person or business to operate in accordance with such criteria; providing for enforcement of such act by the attorney general; amending K.S.A. 2022 Supp. 74-4921 and repealing the existing section, by Committee on Appropriations.

**HB 2437**, AN ACT concerning agriculture; relating to animal facilities inspections; updating certain terms, requirements and fees contained in the Kansas pet animal act related thereto; amending K.S.A. 47-1701, 47-1704, 47-1706, 47-1707, 47-1709, 47-1712, 47-1715, 47-1721, 47-1723 and 47-1732 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2438**, AN ACT concerning emergency medical services; eliminating the designation and certification of instructor-coordinators; amending K.S.A. 2022 Supp. 65-2891, 65-6102, 65-6112, 65-6124 and 65-6150 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 65-6129b, by Committee on Federal and State Affairs.

**HB 2439**, AN ACT concerning health and healthcare; relating to medication abortions; requiring certain notifications for patients under the woman's right-to-know act; amending K.S.A. 65-6708 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2440**, AN ACT concerning public utilities; relating to the state corporation commission; requiring public utilities to report information regarding customer assistance programs, account delinquencies and disconnections; requiring monthly, annual and historical reporting of such information, by Committee on Taxation.

**HB 2441**, AN ACT concerning firearms; creating the anti-red flag gun seizure act; prohibiting the enforcement of any law, regulation or order that prohibits the possession of a firearm in violation of amendment II to the constitution of the United States; providing a cause of action and civil penalties for violations of the act, by Committee on Federal and State Affairs.

**HB 2442**, AN ACT concerning firearms; creating the Kansas gun rights preservation act; prohibiting the infringement of the right to keep and bear arms by the federal government, by Committee on Federal and State Affairs.

#### Senate Bills

**SB 258**, AN ACT concerning civil actions and civil procedure; enacting the act against abusive access litigation; creating a civil action for determining whether litigation that alleges any access violation under the Americans with disabilities act or similar law constitutes abusive litigation and authorizing penalties for such abusive litigation, by Committee on Federal and State Affairs.

**SB 259**, AN ACT concerning elections; prohibiting the use of ballot copies or images in election audits and recounts; setting a deadline of

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7:00 p.m. on the day of the election for the receipt of all advance ballots by the office of the county election officer; requiring the use of paper ballots and hand counting of ballots for all elections; providing for legislative oversight of elections with respect to certain matters; mandating that election records be publicly available and the creation of certain additional election records pertaining to ballots by the county election officer; establishing use of a uniform paper for the printing of ballots for all elections; amending K.S.A. 25-1132, 25-3107 and 25-4413 and K.S.A. 2022 Supp. 25-2912 and 25-3009 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 260**, AN ACT concerning elections; prohibiting remote ballot boxes; providing for transmission of election-related materials from county election officers to the secretary of state for posting on the secretary's website; allowing a leave of absence from work for advance voting; limiting applications for advance voting ballots to be transmitted by mail to persons who are temporarily or permanently disabled or have been diagnosed as temporarily or permanently ill; requiring a delivery receipt for advance voting ballots delivered by mail and that such ballots be received by the county election officer by 7:00 p.m. on the date of the election; extending the time for applications for advance voting ballots to be transmitted by mail and transmitted in person by three days; requiring that advance voting ballots and ballots voted in person be canvassed by 12:00 a.m. on the day following the day of the election and the results immediately reported to the county election officer; providing that county election officers ensure adequate staffing of election boards; limiting the size of precincts to not more than 1,000 persons; requiring that persons vote in the precinct of their residence; making the day of the general election a state holiday; providing that signatures of voters on affidavits for federal services absentee ballots shall be notarized and such ballots shall be mailed by the voter three weeks prior to the election; prohibiting communications to the public of preliminary and final vote counts by election boards, county election officers and the secretary of state until the secretary of state has published the results from all precincts on the secretary's website; providing for the security of voting places by the sheriff; requiring that all applications for advance voting ballots be in writing; removing the requirement that electronic or electromechanical voting systems comply with federal law; making certain election crimes felonies; amending K.S.A. 25-418, 25-1119, 25-1122, 25-1123, 25-1128, 25-1132, 25-1135, 25-1136, 25-1219, 25-1221, 25-26a02, 25-26a03, 25-26a05, 25-2701, 25-2702, 25-2702a, 25-3006 and 35-107 and K.S.A. 2022 Supp. 25-4406 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 261**, AN ACT concerning criminal procedure; relating to grand juries; authorizing appeals from certain decisions related to citizen-initiated grand juries; amending K.S.A. 2022 Supp. 22-3001 and 22-3008 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 262**, AN ACT concerning elections; requiring legislative approval of determinations or rules or regulations of the secretary of state; requiring the hand counting of ballots; prohibiting the use of electronic or electromechanical voting systems and electronic poll books; providing for the public reporting of vote counts during vote canvassing; amending K.S.A. 25-3001, 25-3006 and 25-3107 and K.S.A. 2022 Supp. 25-2912, 25-4402, 25-4403, 25-4404, 25-4405, 25-4407, 25-4408, 25-4411, 25-4414, 25-4415, 25-4610 and 25-4613 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 263**, AN ACT concerning property taxation; relating to appraiser directives; requiring appraiser directives be established by rules and regulations; amending K.S.A. 2022 Supp. 79-505 and repealing the existing section, by Committee on Assessment and Taxation.

**SB 264**, AN ACT concerning income taxation; relating to credits; increasing the tax credit amount for household and dependent care expenses; amending K.S.A. 79-32, 111c and repealing the existing section, by Committee on Assessment and Taxation.

**SB 265**, AN ACT concerning crimes, punishment and criminal procedure; relating to violation of a protective order; increasing criminal penalties for repeat violations; amending K.S.A. 2022 Supp. 21-5924 and repealing the existing section, by Committee on Ways and Means.

**SB 266**, AN ACT concerning crimes, punishment and criminal procedure; relating to domestic violence calls; requiring law enforcement officers to provide certain notices to victims and conduct a lethality assessment; amending K.S.A. 2022 Supp. 22-2307 and repealing the existing section, by Committee on Ways and Means.

**SB 267**, AN ACT concerning domestic violence; defining primary aggressor in the Kansas criminal code, the Kansas code of criminal procedure and the protection from abuse act; requiring law enforcement policies to direct that arrest is the preferred response only with respect to the primary

aggressor; amending K.S.A. 2022 Supp. 21-5111, 22-2307 and 60-3107 and repealing the existing sections, by Committee on Ways and Means.

**SB 268**, AN ACT concerning the state fire marshal; eliminating the statutory qualifications of the chief inspector for boiler safety; amending K.S.A. 44-918 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 269**, AN ACT concerning alcoholic beverages; relating to charitable raffle prizes; exempting prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act; amending K.S.A. 41-104 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 270**, AN ACT concerning crimes, punishment and criminal procedure; relating to robbery and aggravated robbery; including in such crimes acts that occur in the course of the taking of property; amending K.S.A. 2022 Supp. 21-5420 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 271**, AN ACT concerning trains; relating to branch and mainline length; providing for minimum distance for storage of rolling stock, by Committee on Federal and State Affairs.

**SB 272**, AN ACT concerning public use general aviation airports; increasing the transfer from the state highway fund to the public use general aviation airport development fund; amending K.S.A. 2022 Supp. 75-5061 and repealing the existing section, by Committee on Ways and Means.

**SB 273**, AN ACT concerning planning and zoning; relating to planning and zoning by a city; eliminating the authority of a city to adopt planning and zoning regulations for land located outside of such city; amending K.S.A. 12-749 and repealing the existing section; also repealing K.S.A. 12-715b, 12-715c and 12-715d, by Committee on Assessment and Taxation.

**SB 274**, AN ACT concerning property taxation; relating to valuation; requiring the use of the cost approach for special purpose property, by Committee on Assessment and Taxation.

**SB 275**, AN ACT concerning the state gaming revenues fund; changing the total amount credited to such fund; increasing the transfer of moneys from such fund to the correctional institutions building fund; decreasing the transfer of moneys from such fund to the state economic development initiatives fund; amending K.S.A. 79-4801 and 79-4803 and K.S.A. 2022 Supp. 79-4804 and repealing the existing sections, by Committee on Ways and Means.

**SB 276**, AN ACT concerning industrial hemp; relating to hemp products; specifying the delta-9 tetrahydrocannabinol concentration for final hemp products; allowing certain hemp products to be manufactured, marketed, sold or distributed; amending K.S.A. 2-3901 and 2-3908 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 277**, AN ACT concerning health and healthcare; relating to the Kansas department for aging and disability services; providing for the regulation of supplemental nursing services agencies thereby; creating the supplemental nursing services agency regulation fund, by Committee on Ways and Means.

**SB 278**, AN ACT concerning public utilities; relating to the state corporation commission; requiring public utilities to report information regarding customer assistance programs, account delinquencies and disconnections; requiring monthly, annual and historical reporting of such information, by Committee on Federal and State Affairs.

**SB 279**, AN ACT concerning the prescription monitoring program; relating to law enforcement officials; granting law enforcement access to the prescription monitoring program database without a warrant; replacing the member of the program advisory committee representing the Kansas bureau of investigation with the attorney general or the attorney general's designee; amending K.S.A. 65-1690 and K.S.A. 2022 Supp. 65-1685 and 65-1689 and repealing the existing sections, by Committee on Federal and State Affairs.

## Senate Resolutions

**SR 1710**, A RESOLUTION congratulating and commending outstanding Kansas educators who have been selected for a Milken Educator Award or a Kansas Horizon Award, by Senator Dietrich.

## Senate Concurrent Resolutions

**SCR 1608**, A CONCURRENT RESOLUTION urging the adoption of a student bill of rights, by Committee on Federal and State Affairs.

Doc. No. 050930

## State of Kansas

## Board of Regents

## Permanent Administrative Regulations

## Article 9a.—KANSAS PROMISE SCHOLARSHIP

**88-9a-1. Definitions.** Each of the following terms, when used in this article of the board of regents' regulations in reference to the Kansas promise scholarship act, shall have the meaning specified in this regulation:

(a) "Academic year" means the period of time beginning with July 1 of one calendar year and ending with June 30 of the next calendar year.

(b) "Associate degree transfer program" means a program that meets the requirements in K.S.A. 2021 Supp. 74-32,272(d)(1)(A) or 74-32,272(d)(1)(B) and amendments thereto. Associate degree transfer programs typically include the associate of arts, associate of science, associate of general studies, and associate of fine arts, each of which provides the academic knowledge and skills necessary to prepare the student for continuation of the student's postsecondary education at an institution that offers four-year baccalaureate degree programs.

(c) "Award date" means the scholarship recipient's first day of class in the semester, trimester, or other academic period for which any part of the student's tuition, fees, books, or supplies are first funded by the Kansas promise scholarship.

(d) "Complete the free application for federal student aid (FAFSA)" means that the student has a completed FAFSA application on file with the institution at which the student is applying for a promise scholarship. A completed FAFSA application is one that has produced a valid institutional student information record (ISIR) and is free of error codes that would render the student ineligible for federal student financial aid. A valid ISIR is one that has not been rejected and has been assigned an expected family contribution (EFC) or student aid index (SAI).

(e) "Continuously enrolled" means successfully completing at least six credit hours per academic year in successive academic years.

(f) "Full-time student" means that the student is enrolled in 12 or more credit hours in each semester in which the student is enrolled.

(g) "Kansas resident" means domiciliary resident, as defined in K.S.A. 71-407 and amendments thereto.

(h) "Last dollar scholarship" means a scholarship award that can be applied toward a student's tuition, fees, or required books and materials only after all of the student's other financial aid awards have been applied. Other financial aid awards shall include any grant, scholarship, or financial assistance that does not require repayment and is not earned through a work study program. Military financial educational benefits and any family postsecondary savings account or other qualified tuition program established pursuant to section 529 of the internal revenue code of 1986 shall not be considered other financial aid awards.

(i) "Maintain satisfactory academic progress in the courses of the promise-eligible program" means that the student's academic work in the courses for which the

student received a promise scholarship is satisfactory, as determined by the promise-eligible institution at which the student is enrolled based on the institution's general academic policies.

(j) "Prerequisite course" means a course or other requirement that is not part of the student's promise-eligible program but that the student must successfully complete before enrolling in a required course that is part of the student's promise-eligible program.

(k) "Promise-eligible institution" means any of the following "eligible postsecondary educational institutions," as defined in K.S.A. 74-32,271 and amendments thereto:

(1) Each community college and technical college established under the laws of Kansas that has a recognized service area, as defined in K.S.A. 74-32,433 and amendments thereto;

(2) the Washburn institute of technology; or

(3) each institution named in K.S.A. 2021 Supp. 74-32,164, and amendments thereto, that offers a promise-eligible program.

(l) "Promise-eligible program" means each program that meets the following conditions:

(1) Is offered by a promise-eligible institution;

(2) is a two-year associate degree program, a career and technical education certificate program, or a stand-alone parent program;

(3) is included in the board of regents' program inventory or, for a private institution as defined in paragraph (k)(3), has been approved as a promise-eligible program by the Kansas postsecondary technical education authority and the board of regents;

(4) is identified by the board of regents as corresponding to a high-wage, high-demand, or critical-need occupation; and

(5)(A) Is identified by the board of regents as being in one of the following fields of study:

(i) Information technology and security;

(ii) mental and physical healthcare;

(iii) advanced manufacturing and building trades; or

(iv) early childhood education and development; or

(B) is identified by the board of regents as being in one of the following fields of study and the field of study is currently offered, maintained, and designated by a promise-eligible institution pursuant to K.S.A. 2021 Supp. 74-32,273, and amendments thereto:

(i) Agriculture;

(ii) food and natural resources;

(iii) education and training;

(iv) law, public safety, corrections, and security; or

(v) distribution and logistics.

(m) "Promise scholarship" means the award of student financial aid under the Kansas promise scholarship act, K.S.A. 2021 Supp. 74-32,271 et seq. and amendments thereto. The promise scholarship is a last dollar scholarship and a service scholarship.

(n) "Required materials" means those educational materials that are required by the promise-eligible institution, as a condition of enrollment, for every student in each course within the promise-eligible program and not deemed required for only students who are awarded a promise scholarship.

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(o) "Service scholarship" means a type of student financial aid that requires the student to perform a service in return for the award. If the service is performed in accordance with the service agreement, the student will be released from any further obligations. If the service is not performed and is not formally waived, the student will be required to repay the scholarship. For purposes of the promise scholarship, the required service consists of living and working in Kansas for two consecutive years upon completion of the promise-eligible program.

(p) "Stand-alone program" means a promise-eligible program that meets the following requirements:

(1) Is less than 16 credit hours;  
 (2) leads to an industry recognized credential, license, or certification; and

(3) has been identified as a stand-alone program by the board of regents' vice president of workforce development or, for a private institution as defined in paragraph (k)(3), the institution's governing board.

(q) "Two-year associate degree program" means an academic program that consists of at least 60 semester undergraduate level credit hours that is an associate degree transfer program or that enables a student to qualify for immediate employment. The governing boards of institutions identified in paragraph (k)(3) may authorize one or more two-year associate degree programs at less than 60 undergraduate-level semester credit hours. The two-year associate degree program that qualifies a student for immediate employment is the associate of applied science.

(r) "Work in Kansas" means any type of employment that is physically performed in Kansas or that is performed for an employer that is physically located in Kansas, or for which the employee is issued a W-2, 1099, or other wage and tax statement showing Kansas withholding or estimated tax to the state of Kansas. Work performed during any period when the scholarship recipient is enrolled in any postsecondary educational institution in accordance with K.S.A. 2021 Supp. 74-32,276, and amendments thereto, shall not count toward the two-year service requirement. Work in Kansas shall include the following:

(1) Full-time salaried or hourly employment;  
 (2) part-time salaried or hourly employment for any number of hours; and

(3) self-employment. (Authorized by K.S.A. 2021 Supp. 74-32,272, as amended by L. 2022, ch. 94, sec. 29; implementing K.S.A. 2021 Supp. 74-32,271, 74-32,272, 74-32,273, 74-32,274, 74-32,275, and 74-32,276, as amended by L. 2022, ch. 94, secs. 28, 29, 30, 31, 32, and 33; effective March 17, 2023.)

**88-9a-2. Application.** (a) Each application shall be for an academic year.

(b) Each student shall submit a renewal application for any subsequent academic year for which the student seeks a promise scholarship.

(c) Each promise-eligible institution shall use the electronic link to the board of regents' application form and any electronic or paper application materials made available by the board. No changes shall be made to the board of regents' application form.

(d) Each promise-eligible institution shall accept promise scholarship applications throughout the academic year and shall process each student-completed application in the order in which it was received. Each promise-eligible institution shall deny any application that is for a semester, trimester, or other academic period that has already concluded. For purposes of this subsection, a semester, trimester, or other academic period shall be deemed to have concluded on the last day classes are officially required to meet for that semester, trimester, or other academic period.

(e) Each promise-eligible institution, before awarding a promise scholarship, shall ensure that the applicant has entered into a promise scholarship agreement with the board of regents. (Authorized by K.S.A. 2021 Supp. 74-32,272, as amended by L. 2022, ch. 94, sec. 29; implementing K.S.A. 2021 Supp. 74-32,272, 74-32,275, and 74-32,276, as amended by L. 2022, ch. 94, secs. 29, 32, and 33; effective March 17, 2023.)

**88-9a-3. Appeal procedure.** (a) If a student whose application for a promise scholarship is denied or whose award of a promise scholarship is revoked disagrees with the denial or revocation, the student may file a written appeal with the promise-eligible institution's financial aid office within 30 days of notification of denial or revocation.

(b) The financial aid office of each promise-eligible institution shall provide an appeal form on request.

(c) If a student fails to file an appeal in the time frame and manner specified in this regulation, the denial or revocation of the promise scholarship as determined by the promise-eligible institution's financial aid office shall become final upon expiration of the appeal period.

(d) If a student files a timely appeal, the promise-eligible institution shall hear and decide the appeal using its existing procedures for student financial aid appeals. If the promise-eligible institution does not have an appeal procedure specific to student financial aid, the promise-eligible institution shall hear and decide the appeal using its existing appeal procedures for other matters. (Authorized by and implementing K.S.A. 2021 Supp. 74-32,272, as amended by L. 2022, ch. 94, sec. 29; effective March 17, 2023.)

**88-9a-4. Scholarship awards.** (a) Each promise-eligible institution shall award a promise scholarship to an eligible promise scholarship applicant enrolled in one or more promise-eligible programs. No promise-eligible institution shall limit scholarship awards to certain promise-eligible programs or, as long as promise scholarship funds are available, award less than the full promise scholarship amount for which an applicant qualifies. A promise scholarship applicant shall no longer be eligible for continued promise scholarship awards once the applicant has reached the lifetime limit pursuant to K.S.A. 2021 Supp. 74-32,274, and amendments thereto.

(b) To the extent that promise scholarship funds remain available, each promise-eligible institution at which the promise scholarship recipient is enrolled shall continue providing promise scholarship funds to the recipient for credit hours that are within a promise-eligible program if the recipient meets the following conditions:



(1) Continues to maintain satisfactory academic progress in the courses of the promise-eligible program for which a promise scholarship was awarded;

(2) has not reached the lifetime limit established by K.S.A. 2021 Supp. 74-32,274, and amendments thereto; and

(3) continues to meet all other eligibility requirements for the promise scholarship.

(c) Any promise scholarship recipient may use promise scholarship awards to pay for no more than the lifetime limit established by K.S.A. 2021 Supp. 74-32,274, and amendments thereto, regardless of the number of promise-eligible programs in which the recipient enrolls. (Authorized by K.S.A. 2021 Supp. 74-32,272, as amended by L. 2022, ch. 94, sec. 29; implementing K.S.A. 2021 Supp. 74-32,272, 74-32,274, 74-32,275, and 74-32,276, as amended by L. 2022, ch. 94, secs. 29, 31, 32, and 33; effective March 17, 2023.)

**88-9a-5. Scholarship agreement.** (a) Each student who is determined qualified by a promise-eligible institution for a promise scholarship shall enter into a promise scholarship agreement with the board of regents.

(b) Each promise scholarship agreement shall require the student to meet the following requirements:

(1) Enroll as a full-time student or a part-time student in a promise-eligible program at the promise-eligible institution from which the student is receiving the promise scholarship;

(2) within 36 months of the initial promise scholarship award date, meet one of the following requirements:

(A) Successfully complete the promise-eligible program for which the student received the promise scholarship; or

(B) if the promise-eligible program for which the promise scholarship is awarded is a career and technical education associate degree or certificate program that leads to multiple credentials, successfully complete the number of credit hours necessary to earn the first credential in that promise-eligible program;

(3) within six months after successfully completing the promise-eligible program for which the promise scholarship was awarded, meet one of the following requirements:

(A) Reside in and commence work in Kansas and continue to reside and work in Kansas for at least two consecutive years following completion of the promise-eligible program for which the promise scholarship was awarded; or

(B) enroll as a full-time student or a part-time student in any public or private postsecondary educational institution with its primary location in Kansas and, within six months of graduation or failure to remain continuously enrolled, reside in and commence work in Kansas, and continue to reside and work in Kansas for at least two consecutive years;

(4) until released from the scholarship agreement obligations, maintain records and annually report to the board of regents the following personal information on the form provided by the board:

(A) Full legal name;

(B) current residential address;

(C) telephone number;

(D) personal and work electronic-mail addresses;

(E) contact information for two individuals at different addresses who know how to contact the student;

(F) the name of each promise-eligible institution that awarded a promise scholarship to the student;

(G) the promise-eligible program credential sought by the student;

(H) specification of whether the student successfully completed the promise-eligible program for which the student's promise scholarship was awarded;

(I) the student's employment status, current employer contact information, original hire date, and employer verification of the information required by this paragraph;

(J) the student's Kansas postsecondary institution enrollment status, name of institution currently attending, course of study in which the student is enrolled, anticipated graduation date, and registrar's verification information; and

(K) any additional relevant information that the board of regents may require; and

(5) upon failure to meet any requirement of the promise scholarship agreement, repay to the board of regents the full amount of the promise scholarship awarded to the student, with interest accruing beginning on the date the student is determined by the board to be out of compliance and at the rate established pursuant to K.S.A. 2021 Supp. 74-32,276 and amendments thereto.

(c) Each promise-eligible institution shall withhold the award of any promise scholarship until after the student has met all eligibility requirements and entered into a promise scholarship agreement with the board of regents. (Authorized by K.S.A. 74-32,272, as amended by L. 2022, ch. 94, sec. 29; implementing K.S.A. 2021 Supp. 74-32,272 and 74-32,276, as amended by L. 2022, ch. 94, secs. 29 and 33; effective March 17, 2023.)

**88-9a-6. Postponement of or release from promise scholarship agreement requirements.** (a) Any promise scholarship recipient may request that one or more requirements of the promise scholarship agreement be postponed during any period if the recipient meets any of the following conditions:

(1) Is serving in volunteers in service to America (VISTA);

(2) is serving in the peace corps;

(3) has a service commitment to the United States public health service;

(4) is performing religious missionary work conducted by an organization exempt from tax under section 501(c)

(3) of the federal internal revenue code;

(5) is determined by the board of regents to be unable to commence or continue performance in satisfaction of the obligation because of temporary medical disability;

(6) is on job-protected leave under the family and medical leave act of 1993 (FMLA);

(7) is unable to meet the requirement of the scholarship agreement due to good cause, as determined by the board of regents; or

(8) is continuously enrolled as a full-time student or part-time student at a Kansas postsecondary educational institution if the first enrollment was within six months after successfully completing the promise-eligible program for which the promise scholarship was received.

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The student shall remain enrolled in at least six hours each semester for which the student wants to postpone the Kansas employment requirement.

(b) Except for paragraphs (a)(5), (a)(6), and (a)(7), a recipient's obligation under the promise scholarship agreement shall not be postponed more than five years from the time that performance of the obligation was to have commenced under the agreement. Each obligation under any agreement entered into in accordance with the promise scholarship program shall be postponed under paragraph (a)(5) during the period of time that the medical disability exists.

(c) For purposes of paragraph (a)(6), the recipient's obligation under the promise scholarship agreement shall not be postponed for more than the duration of the recipient's FMLA leave.

(d)(1) For purposes of paragraph (a)(7), "good cause" shall include the following:

(A) Inability to secure employment in Kansas within six months of completing the promise-eligible program or any postponement granted pursuant to subsection (a) after making the best possible effort to do so;

(B) inability to retain employment in Kansas for two consecutive years after completing the promise-eligible program or any postponement granted under subsection (a) after making the best possible effort to do so;

(C) inability to reside in Kansas for the two consecutive years immediately succeeding completion of the promise-eligible program or any postponement granted under subsection (a) after making the best possible effort to do so; and

(D) inability to meet any other requirement of the promise scholarship after making the best possible effort to do so.

(2) "The best possible effort" shall be determined by the board of regents' director of student financial assistance in consultation with the board of regents' chief executive officer, upon the promise scholarship recipient's submission of a request supported by documentation, which may include any of the following as relevant:

(A) Written communications from employers confirming the recipient's applications for employment;

(B) a verifiable list of employers, with contact information, to whom the recipient has applied;

(C) records establishing the reason for the recipient's inability to reside in Kansas; or

(D) records establishing the reason for the recipient's inability to retain employment for two consecutive years.

(e)(1) A promise scholarship recipient shall have met the requirements of the promise scholarship agreement and shall be released from repayment of the scholarship award if the recipient meets any of the following conditions:

(A) Successfully completes the requirements of the agreement;

(B) commences service as a military servicemember, as defined in K.S.A. 2021 Supp. 74-32,271 and amendments thereto, at any time after receiving a promise scholarship award;

(C) fails to meet the requirements of the agreement only after making the best possible effort to do so; or

(D) is unable to meet the requirements of the agreement due to disability or death of the recipient.

(2) "The best possible effort" shall be determined by the board of regents' director of student financial assistance in consultation with the board of regents' chief executive officer, upon the scholarship recipient's submission of documentation, which may include any of the following as relevant:

(A) Written communications from employers confirming the recipient's applications for employment;

(B) a verifiable list of employers, with contact information, with which the recipient has applied;

(C) records establishing the reason for inability to reside in Kansas; or

(D) a signed statement from an appropriate administrator of the promise-eligible institution explaining the circumstances of the promise scholarship recipient's inability to complete the promise-eligible program within 36 months.

(f) Each promise scholarship award recipient who wants to postpone or be released from any obligation of the recipient's promise scholarship agreement shall submit to the board of regents a written request for postponement or release on a form provided by the board.

(g) Each request for postponement or release shall be made by submitting a completed postponement or release form to the board of regents. Each request for postponement or release shall be mailed or electronically mailed to the address indicated, with an attention subject line of "Kansas promise scholarship repayment." The request shall include the recipient's full legal name, the promise-eligible institution from which the recipient received the promise scholarship, and the recipient's dates of attendance at that institution. (Authorized by K.S.A. 2021 Supp. 74-32,272, as amended by L. 2022, ch. 94, sec. 29; implementing K.S.A. 2021 Supp. 74-32,272 and 74-32,276, as amended by L. 2022, ch. 94, secs. 29 and 33; effective March 17, 2023.)

**88-9a-7. Repayment.** (a) Each promise scholarship award recipient who fails to meet the requirements of the promise scholarship agreement and has not timely sought and received a postponement or release from the obligations of the agreement shall repay the total amount of promise scholarship disbursed to or on behalf of the recipient, plus interest at the rate prescribed by K.S.A. 2021 Supp. 74-32,276, and amendments thereto.

(b) Repayment of all funds shall become due immediately upon failure to meet the promise scholarship agreement terms, conditions, and requirements.

(c) Repayment shall be made to the Kansas board of regents' designated loan servicer or collections agency. All payments shall be mailed with an attention subject line of "Kansas promise scholarship repayment" and shall include the recipient's full legal name, the name of each promise-eligible institution from which the recipient received the promise scholarship, and the recipient's dates of attendance at each institution.

(d) Any recipient may repay the scholarship and interest in monthly installments of at least 1/60 of the total amount owed. Each recipient who chooses to make installment payments shall make those payments as follows:

(1) Payments owed shall commence within 180 days of the board's designee's determination of failure to comply with the promise scholarship obligation and shall be

completed within five years following the date of the act or circumstance that causes the recipient to fail to remain eligible and qualified or to meet the obligations of the scholarship agreement.

(2) If an installment payment becomes overdue 10 days from any date an installment was due, the entire amount outstanding shall become immediately due and payable, including all interest, without further notice or opportunity to remedy the default.

(3) The total repayment obligation may be met at any time by making a single lump-sum payment equal to the total of the following:

(A) The entire amount to be repaid upon failure to meet the obligations under the scholarship agreement; and

(B) all amounts of interest at the rate prescribed in K.S.A. 2021 Supp. 74-32,276, and amendments thereto, accrued on or before the date of full payment. (Authorized by K.S.A. 2021 Supp. 74-32,272, as amended by L. 2022, ch. 94, sec. 29; implementing K.S.A. 2021 Supp. 74-32,272 and 74-32,276, as amended by L. 2022, ch. 94, secs. 29 and 33; effective March 17, 2023.)

Blake Flanders  
President and CEO  
Board of Regents

Doc. No. 050928

## State of Kansas

### Department of Education

#### Permanent Administrative Regulations

#### Article 1.—CERTIFICATE REGULATIONS

**91-1-200. Definition of terms.** Each of the following terms, as used in this article of the department's regulations, shall have the meaning specified in this regulation:

(a) "Accomplished teaching license" means a license issued to an individual who has successfully completed an advanced performance assessment designated by the state board for the purpose of identifying accomplished teaching or who has achieved national board certification.

(b) "Accredited experience" means teaching experience gained, under contract, in a school accredited by the state board or a comparable agency in another state while the teacher holds an endorsement valid for the specific assignment. At least 90 consecutive days of substitute teaching in the endorsement area of academic preparation and in the same teaching position shall constitute accredited experience. Other substitute teaching experiences shall not constitute accredited experience.

(c) "Alternative teacher education program" means a program to prepare persons to teach by a means other than the traditional, college-based, approved program.

(d) "Approved mentoring program" means a program based on state board-approved program guidelines that is established and maintained by an LEA for the purpose of providing educators employed under initial licenses with professional support and continuous assistance from a mentor.

(e) "Approved program" means a teacher education program approved by the state board for content and pedagogy.

(f) "Content area" means a defined domain of knowledge and skill in an academic program.

(g) "Content assessment" means an assessment designated by the state board to measure subject matter knowledge for an endorsement.

(h) "Deficiency plan" means a detailed schedule of instruction from an approved program that, if completed, will qualify an individual for full endorsement in a subject. The individual who is to receive the instruction and a representative of the institution at which the instruction is to be given shall sign each deficiency plan.

(i) "Early adolescence through late adolescence and adulthood" means grades six through 12.

(j) "Early childhood" means any level from birth through grade three.

(k) "Early childhood through late adolescence and adulthood" means any level from prekindergarten through grade 12.

(l) "Early childhood through late childhood" means any level from prekindergarten through grade six.

(m) "Early childhood unified" means an endorsement that provides access to teach in a general education classroom or to provide special education instruction and support services for any level from birth through grade three.

(n) "Elementary education unified" means an endorsement that provides access to teach in a general education classroom or to provide special education instruction and support services for early childhood through late childhood.

(o) "Emergency substitute teaching license" means a license issued to an individual that allows access to practice as a substitute teacher as defined by K.A.R. 91-31-34(b).

(p) "Endorsement" means the legend printed on each license that identifies the subject in which an individual has specialization.

(q) "Evidence-centered assessment" means an assessment designated by the state board to measure an individual's knowledge of subject matter and ability to implement the knowledge and skills of a teacher leader.

(r) "Initial," when used to describe a license, means the first tier of license provided to an individual who meets all requirements to begin practice and may be issued for school leadership, school specialist, or teaching.

(s) "Initial school leadership license" means the first license that an individual holds to begin practice as a school leader while preparing for the professional school leadership license.

(t) "Initial school specialist license" means the first license that an individual holds to begin practice as a school specialist while preparing for the professional school specialist license.

(u) "Initial teaching license" means the first license that an individual holds to begin teaching while preparing for the professional teaching license.

(v) "Interim alternative license" means a license that allows temporary access to practice to an individual who has completed an alternative teacher education program and been issued a license in another state.

(w) "Late childhood through early adolescence" means grades five through eight.

(continued)

(x) "Licensure" means the granting of access to practice teaching, administration, or school services in Kansas public schools.

(y) "Limited-use teaching license" means a license that allows an individual limited access to practice in an LEA under an arrangement by which the LEA is developing the teacher through a specified approved plan of study.

(z) "Local education agency" and "LEA" mean any governmental agency authorized or required by state law to provide education to children, including each unified school district, special education cooperative, school district interlocal, state school, and school institution.

(aa) "Mentor" means a teacher, a school specialist, or an administrator who holds a professional teaching license, school specialist license, or leadership license assigned by an LEA to provide support, modeling, and conferencing to a beginning professional.

(bb) "Middle-level generalist," when used to describe an endorsement, means an endorsement that allows access to teach mathematics, English language arts, history, government and social studies, and science for late childhood through early adolescence.

(cc) "Official transcript" means a student record that includes grades and credit hours earned and that is affixed with the official seal of the college and the signature of the registrar.

(dd) "One year of teaching experience" means accredited experience that constitutes one-half time or more in one school year, while under contract.

(ee) "Pedagogical assessment" means an assessment designated by the state board to measure teaching knowledge.

(ff) "Performance assessment" means an assessment designated by the state board to measure an individual's ability to implement the knowledge and skills of a teacher, administrator, or school services provider.

(gg) "Prekindergarten" means a program for children three and four years old.

(hh) "Professional," when used to describe a license, means achievement of the second tier of licensure based upon successful completion of a performance assessment while practicing under an initial license and may be awarded for school leadership, school specialist, or teaching.

(ii) "Professional occupational license" means the license required to practice in Kansas for the profession of speech language pathologist, audiologist, or licensed master social worker.

(jj) "Professional school leadership license" means a school leadership license issued to an individual based on successful completion of a performance assessment and maintained by professional development.

(kk) "Professional school specialist license" means a school specialist license issued to an individual based on successful completion of a performance assessment and maintained by professional development.

(ll) "Professional teaching license" means a teaching license issued to an individual based on successful completion of a performance assessment and maintained by professional development.

(mm) "Provisional school specialist endorsement license" means a license issued to an individual that al-

lows access to practice as a school specialist while the individual is in the process of completing requirements for the school specialist license.

(nn) "Provisional teaching endorsement license" means a license issued to an individual that allows access to practice in an endorsement area while the individual is in the process of completing requirements for that endorsement.

(oo) "Recent credit" means valid credit earned during the six-year period immediately preceding the filing of an application.

(pp) "Recent experience" means accredited experience earned during the six-year period immediately preceding the filing of an application.

(qq) "Restricted school specialist license" means a license that allows an individual limited access to practice as a library media specialist or a school counselor under a special arrangement among the individual, a Kansas teacher education institution, and an LEA.

(rr) "Restricted teaching license" means a license that allows an individual limited access to practice under a special arrangement among the individual, a Kansas teacher education institution, and an LEA.

(ss) "School leadership license" means a license that allows an individual to hold a position with the primary responsibility for supervision or management of a local education agency, a school system, a school building, or school programs.

(tt) "School specialist" means a person other than a teacher or school leader who is required to hold an educator license to provide specialized professional support services to students or teachers.

(uu) "School specialist program" means an approved program provided by teacher education institutions to prepare individuals for licensure as a school specialist.

(vv) "Secondary education unified" means an endorsement that provides access to teach academic subjects for which the content assessment has been passed and to provide special education support services for early adolescence through late adolescence and adulthood.

(ww) "Standard," when used to describe a license, means that the license is unrestricted, nonprobationary, nonprovisional, nonsubstitute, nonlimited-use, or nontemporary; is issued by the state board or a comparable agency in another state; and allows an individual to work as a teacher, administrator, or school specialist in accredited school systems in Kansas or another state.

(xx) "Standards board" means the teaching and school administration professional standards advisory board.

(yy) "State board" means Kansas state board of education.

(zz) "STEM license" means a license that allows an individual to teach only life science, physical science, earth and space science, mathematics, engineering, computer technology, finance, or accounting subjects in a hiring LEA, as specified in K.A.R. 91-1-203(m).

(aaa) "Subject" means a specific teaching area within a general instructional field.

(bbb) "Substitute teaching license" means a license issued to an individual that allows access to practice as a

substitute as defined in K.A.R. 91-31-34(b).

(ccc) "Teacher education institution" means a college or university that has an accredited administrative unit for the purpose of preparing teachers.

(ddd) "Transitional license" means a license that allows an individual to temporarily practice if the individual held a license but does not meet recent credit, recent experience, or the renewal requirements to qualify for an initial teaching license or a professional teaching license, an initial school specialist license or a professional school specialist license, or an initial school leadership license or a professional school leadership license.

(eee) "Valid credit" and "credit" mean a semester hour of credit earned in, or validated by, a college or university that is on the accredited list maintained by the state board.

(fff) "Visiting international teaching license" means a license issued to an individual participating in the visiting international teacher program, allowing the individual to be employed by a local education agency and be assigned to teach that individual's native language or the content area of that individual's teacher preparation.

(ggg) "Visiting scholar teaching license" means a license that allows an individual who has documentation verifying the individual's qualifications for the license as described on the application to practice on a temporary, limited basis. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 2003; amended July 1, 2003; amended July 18, 2008; amended Aug. 28, 2009; amended Aug. 12, 2011; amended, T-91-6-30-14, June 30, 2014; amended Oct. 24, 2014; amended March 17, 2023.)

**91-1-201. Type of licensure.** (a) The following types of licenses shall be issued by the state board:

- (1) Accomplished teaching license;
- (2) initial licenses, including the following:
  - (A) Initial school leadership license;
  - (B) initial school specialist license; and
  - (C) initial teaching license;
- (3) emergency substitute teaching license;
- (4) interim alternative license;
- (5) limited-use teaching license;
- (6) professional licenses, including the following:
  - (A) Professional school leadership license;
  - (B) professional school specialist license; and
  - (C) professional teaching license;
- (7) provisional school specialist endorsement license;
- (8) provisional teaching endorsement license;
- (9) restricted school specialist license;
- (10) restricted teaching license;
- (11) STEM license;
- (12) substitute teaching license;
- (13) transitional license;
- (14) visiting international teacher license; and
- (15) visiting scholar teaching license.

(b)(1) Each initial license shall be valid for two years from the date of issuance.

(2) An initial teaching license may be issued for one or more of the following levels:

- (A) Early childhood;
- (B) early childhood through late childhood;
- (C) late childhood through early adolescence;

(D) early adolescence through late adolescence and adulthood; or

(E) early childhood through late adolescence and adulthood.

(3) Each initial school leadership license shall be issued for all levels.

(4) Each initial school specialist license shall be issued for the level that corresponds with the approved program completed by the applicant.

(c)(1) Each professional license shall be valid on the date of issuance. Each license shall expire on the license holder's fifth birthdate following issuance of the license.

(2) A professional teaching license may be issued for one or more of the following levels:

- (A) Early childhood;
- (B) early childhood through late childhood;
- (C) late childhood through early adolescence;
- (D) early adolescence through late adolescence and adulthood; or
- (E) early childhood through late adolescence and adulthood.

(3) Each professional school leadership license shall be issued for all levels.

(4) Each professional school specialist license shall be issued for the level that corresponds with the approved program completed by the applicant.

(d)(1) Each accomplished teaching license shall be valid for 10 years from the date of issuance.

(2) An accomplished teaching license may be issued for one or more of the following levels:

- (A) Early childhood;
- (B) early childhood through late childhood;
- (C) late childhood through early adolescence;
- (D) early adolescence through late adolescence and adulthood; or
- (E) early childhood through late adolescence and adulthood.

(e) Each substitute teaching license shall be valid on the date of issuance and shall be issued for all levels. Each substitute license shall expire on the license holder's fifth birthdate following issuance of the license.

(f) The first emergency substitute teaching license issued to an individual shall be valid for the school year in which it is issued and shall be issued for all levels. Each subsequent renewal of an emergency substitute license shall be valid for two consecutive school years.

(g) Each visiting scholar teaching license shall be valid through June 30 of the school year for which it is issued and shall be issued for the level corresponding with the teaching assignment.

(h) Each visiting international teacher license shall be valid through June 30 of the school year for which it is issued and shall be valid for the level corresponding with the teaching assignment.

(i)(1) Each restricted teaching license shall be valid for the school year in which the license is issued. Any restricted teaching license may be reissued for two additional consecutive school years if progress reports are submitted as required in K.A.R. 91-1-203(h)(2).

(2) A restricted teaching license may be issued for one or more of the following levels:

(continued)

(A) Late childhood through early adolescence;  
 (B) early adolescence through late adolescence and adulthood; or

(C) early childhood through late adolescence and adulthood.

(j)(1) Each restricted school specialist license shall be valid for three consecutive school years from the date of issuance.

(2) Each restricted school specialist license shall be issued for all levels.

(k)(1) Each transitional license shall be valid for the school year in which the license is issued.

(2) Each transitional license shall be nonrenewable.

(3) A transitional license may be issued for one or more of the following levels:

(A) Early childhood;

(B) early childhood through late childhood;

(C) late childhood through early adolescence;

(D) early adolescence through late adolescence and adulthood; or

(E) early childhood through late adolescence and adulthood.

(l)(1) Each interim alternative license shall be valid for one year from the date of issuance.

(2) The initial one-year term shall be automatically extended for one additional one-year term if the licensee demonstrates progress toward achieving an initial or professional license. Each interim alternative license shall be nonrenewable after two years.

(3) An interim alternative license may be issued for one or more of the following levels:

(A) Early childhood;

(B) early childhood through late childhood;

(C) late childhood through early adolescence;

(D) early adolescence through late adolescence and adulthood; or

(E) early childhood through late adolescence and adulthood.

(m)(1) Each limited-use teaching license shall be valid only for the school year in which the license is issued. Any limited-use teaching license may be reissued for additional consecutive school years at the request of the employing LEA.

(2) A limited-use teaching license may be used to teach in grades 6 through 12 but shall not be used to provide special education services.

(n)(1) Each provisional teaching endorsement license shall be valid for two years from the date of issuance.

(2) A provisional teaching endorsement license may be issued for one or more of the following levels:

(A) Early childhood;

(B) early childhood through late childhood;

(C) late childhood through early adolescence;

(D) early adolescence through late adolescence and adulthood; or

(E) early childhood through late adolescence and adulthood.

(o)(1) Each provisional school specialist license shall be valid for two years from the date of issuance.

(2) A provisional school specialist endorsement license shall be issued for all levels.

(p)(1) A nonrenewable license shall be issued to each

applicant who meets all other requirements for an initial license except the assessments.

(2) Each nonrenewable license shall be valid only through June 30 of the school year for which the license is issued.

(q)(1) Each STEM license shall be valid only through June 30 of the school year for which the license is issued.

(2) Each STEM license shall be valid for grades 8 through 12. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 2003; amended July 1, 2003; amended Jan. 2, 2004; amended Aug. 25, 2006; amended Aug. 10, 2007; amended July 18, 2008; amended Aug. 12, 2011; amended, T-91-6-30-14, June 30, 2014; amended Oct. 24, 2014; amended March 17, 2023.)

**91-1-202. Endorsements.** (a) Each license issued by the state board shall include one or more endorsements.

(b) Except as otherwise provided in subsections (l) through (p), endorsements available for teaching at the early childhood license level shall be as follows:

(1) Early childhood;

(2) early childhood unified;

(3) deaf or hard-of-hearing;

(4) prekindergarten general education;

(5) visually impaired; and

(6) school psychologist.

(c) Except as otherwise provided in subsections (l) through (p), endorsements available for teaching at the early childhood through late childhood license level shall be as follows:

(1) Elementary education;

(2) elementary education unified;

(3) English for speakers of other languages;

(4) gifted;

(5) high-incidence special education; and

(6) low-incidence special education.

(d) Except as otherwise provided in subsections (l) through (p), endorsements available for teaching at the late childhood through early adolescence license level shall be as follows:

(1) English for speakers of other languages;

(2) English language arts;

(3) gifted;

(4) high-incidence special education;

(5) history, government, and social studies;

(6) low-incidence special education;

(7) mathematics;

(8) middle-level generalist; and

(9) science.

(e) Except as otherwise provided in subsections (l) through (p), endorsements available for teaching at the early adolescence through late adolescence and adulthood license level shall be as follows:

(1) Advanced mathematics;

(2) agriculture;

(3) biology;

(4) business;

(5) chemistry;

(6) driver education;

(7) earth and space science;

(8) English for speakers of other languages;

(9) English language arts;

- (10) family and consumer science;
- (11) general mathematics;
- (12) gifted;
- (13) high-incidence special education;
- (14) history, government, and social studies;
- (15) journalism;
- (16) low-incidence special education;
- (17) physics;
- (18) psychology;
- (19) secondary education unified;
- (20) speech and theatre; and
- (21) technology and engineering education.

(f) Except as otherwise provided in subsections (l) through (p), endorsements available for teaching at the early childhood through late adolescence and adulthood level shall be as follows:

- (1) Art;
- (2) deaf or hard-of-hearing;
- (3) English for speakers of other languages;
- (4) gifted;
- (5) health;
- (6) high-incidence special education;
- (7) instrumental music;
- (8) low-incidence special education;
- (9) music;
- (10) physical education;
- (11) visually impaired;
- (12) vocal music; and
- (13) world language.

(g) Endorsements available for all school leadership licenses shall be as follows:

- (1) Building leadership;
- (2) director of special education; and
- (3) district leadership.

(h) Endorsements available for all school specialist fields shall be as follows:

- (1) Library media specialist;
- (2) reading specialist;
- (3) school counselor;
- (4) school psychologist; and
- (5) teacher leader.

(i) Endorsements available for the visiting international teacher license shall be issued in the content area for which the individual is qualified and valid only for the local education agency approved by the commissioner of education.

(j) Endorsements available for the restricted teaching license shall be issued in the state board-approved content area and valid only for the state board-approved local education agency.

(k) Endorsements available for the limited-use teaching license shall be issued in the content area and valid only for the employing local education agency.

(l) Endorsements available for the provisional teaching endorsement license at the early childhood through late childhood license level shall be as follows:

- (1) English for speakers of other languages;
- (2) gifted;
- (3) high-incidence special education; and
- (4) low-incidence special education.

(m) Endorsements available for the provisional teaching endorsement license at the early childhood license level shall be as follows:

- (1) Early childhood; and
  - (2) early childhood unified.
- (n) Endorsements available for the provisional teaching endorsement license at the late childhood through early adolescence license level shall be as follows:

- (1) English for speakers of other languages;
- (2) English language arts;
- (3) gifted;
- (4) high-incidence special education;
- (5) history, government, and social studies;
- (6) low-incidence special education;
- (7) mathematics; and
- (8) science.

(o) Endorsements available for the provisional teaching endorsement license at the early adolescence through late adolescence and adulthood license level shall be as follows:

- (1) Advanced mathematics;
- (2) agriculture;
- (3) biology;
- (4) business;
- (5) chemistry;
- (6) earth and space science;
- (7) English for speakers of other languages;
- (8) English language arts;
- (9) family and consumer science;
- (10) general mathematics;
- (11) gifted;
- (12) high-incidence special education;
- (13) history, government, and social studies;
- (14) journalism;
- (15) low-incidence special education;
- (16) physics;
- (17) psychology;
- (18) speech and theatre; and
- (19) technology and engineering education.

(p) Endorsements available for the provisional teaching endorsement license at the early childhood through late adolescence and adulthood level shall be as follows:

- (1) Art;
- (2) deaf or hard-of-hearing;
- (3) English for speakers of other languages;
- (4) gifted;
- (5) health;
- (6) high-incidence special education;
- (7) instrumental music;
- (8) low-incidence special education;
- (9) music;
- (10) physical education;
- (11) visually impaired;
- (12) vocal music; and
- (13) world language.

(q) Endorsements available for provisional school specialist endorsement license at all levels shall be as follows:

- (1) Library media specialist;
- (2) reading specialist; and
- (3) school counselor.

(r) Each applicant for a license with a low-incidence or high-incidence special education endorsement, or a gifted, visually impaired, or deaf or hard-of-hearing endorsement, shall have successfully completed one of the following:

(continued)

(1) A state-approved program to teach general education students; or

(2) a professional education component that allows students to acquire competency in the following:

(A) The learner and learning: learner development, learning differences, and learning environments;

(B) content: content knowledge and application of content;

(C) instructional practice: assessment, planning for instruction, and instructional strategies;

(D) professional responsibility: professional learning and ethical practice, leadership, and collaboration; and

(E) the ability to apply the acquired knowledge to teach general education students. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 2003; amended July 1, 2003; amended Aug. 25, 2006; amended Aug. 10, 2007; amended Aug. 28, 2009; amended Aug. 12, 2011; amended, T-91-6-30-14, June 30, 2014; amended Oct. 24, 2014; amended March 17, 2023.)

**91-1-203. Licensure requirements.** (a) Initial licenses.

(1) Each applicant for an initial teaching license shall submit to the state board the following:

(A) An official transcript verifying the granting of a bachelor's degree;

(B) verification from an accredited institution by the unit head or designee of completion of a teacher education program;

(C) verification of successful completion of a pedagogical assessment;

(D) verification of successful completion of a content assessment;

(E) verification of eight semester hours of recent credit;

(F) an application for an initial license; and

(G) the licensure fee.

(2) Each applicant for an initial school leadership license shall submit to the state board the following:

(A) An official transcript verifying the granting of a graduate degree;

(B) verification from an accredited institution by the unit head or designee of completion of a graduate-level school leadership program;

(C) if application is made for a district leadership endorsement, verification from an accredited institution by the unit head or designee of completion of an approved building leadership or director of special education program;

(D) verification of a minimum 3.25 cumulative GPA on a 4.0 scale in graduate leadership program coursework;

(E) verification of successful completion of a state board-approved school leadership assessment;

(F) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(G) an application for an initial school leadership license;

(H) the licensure fee; and

(I) verification of five years of experience in a state-accredited school while holding a standard teaching or school specialist license and having achieved the professional-level license, a professional occupational license, or a full career and technical education certificate.

(3) Each applicant for an initial school specialist license shall submit to the state board the following:

(A) An official transcript verifying the granting of a graduate degree;

(B) verification from an accredited institution by the unit head or designee of completion of a graduate-level school specialist program;

(C) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(D) verification of a minimum 3.25 cumulative GPA on a 4.0 scale in graduate school specialist program coursework;

(E) if application is made for a library media specialist endorsement or reading specialist endorsement, a currently valid professional teaching license;

(F) if application is made for a school counselor endorsement, verification of one of the following:

(i) A currently valid initial teaching license or professional teaching license; or

(ii) applicant's successful completion of additional field experiences consisting of two three-credit-hour courses or at least 70 clock-hours over at least two semesters during the approved program specified in paragraph (a) (3)(B);

(G) verification of successful completion of a state board-approved school specialist assessment;

(H) an application for an initial school specialist license; and

(I) the licensure fee.

(b) Professional licenses.

(1) Each applicant for a professional teaching license shall submit to the state board the following:

(A) Verification of successful completion of the teaching performance assessment prescribed by the state board while the applicant holds an initial teaching license and is employed in a school accredited by the state board or by a national or regional accrediting agency recognized by the state board as listed on the Kansas state department of education's web site;

(B) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(C) an application for professional teaching license; and

(D) the licensure fee.

(2) Each applicant for a professional school leadership license shall submit to the state board the following:

(A) Verification of successful completion of the school leadership performance assessment prescribed by the state board while the applicant holds an initial school leadership license and is employed in a school accredited by the state board or by a national or regional accrediting agency recognized by the state board as listed on the Kansas state department of education's web site;

(B) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(C) an application for professional school leadership license; and

(D) the licensure fee.

(3) Each applicant for a professional school specialist license shall submit to the state board the following:

(A) Verification of successful completion of the school specialist performance assessment prescribed by the state board while the applicant is employed in a school accredited by the state board or by a national or regional



accrediting agency recognized by the state board as listed on the Kansas state department of education's web site and while the applicant holds an initial school specialist license;

(B) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(C) an application for professional school specialist license; and

(D) the licensure fee.

(4) Each applicant for a professional school specialist license with endorsement for teacher leader shall submit to the state board the following:

(A) An official transcript verifying the granting of a graduate degree;

(B) verification from an accredited institution by the unit head or designee of completion of a graduate-level teacher leader program and verification of successful completion of an evidence-centered assessment;

(C) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(D) verification of at least five years of accredited experience as a teacher, as a library media specialist or reading specialist, or as a school counselor;

(E) verification of a minimum 3.25 cumulative GPA on a 4.0 scale in graduate teacher leader program coursework;

(F) verification of a currently valid professional teaching license;

(G) an application for a professional school specialist license for teacher leader; and

(H) the licensure fee.

(5) When required by this subsection, the performance assessment for professional teaching licensees shall be completion of at least a two-year approved mentoring program. The performance assessment for professional school specialist licensees shall be completion of at least a year-long approved mentoring program. The performance assessment for professional school leadership licensees shall be completion of at least a year-long approved mentoring program.

(c) Accomplished teaching licenses. Each applicant for an accomplished teaching license shall submit to the state board the following:

(1) Verification of achieving national board certification issued by the national board for professional teaching standards;

(2) verification of a currently valid professional teaching license;

(3) an application for an accomplished teaching license; and

(4) the licensure fee.

(d) Substitute teaching license. Each applicant for a substitute teaching license shall submit to the state board the following:

(1) An official transcript from an accredited institution verifying the granting of a bachelor's degree;

(2) verification from an accredited institution of completion of an approved teacher education program;

(3) an application for substitute teaching license; and

(4) the licensure fee.

(e) Emergency substitute teaching license. Each applicant for an emergency substitute teaching license shall submit to the state board the following:

(1) An official transcript verifying the completion of at least 60 semester hours of general education coursework, professional education coursework, or a combination of these types of coursework;

(2) an application for emergency substitute teaching license; and

(3) the licensure fee.

(f) Visiting scholar teaching license.

(1) Each applicant for a visiting scholar teaching license shall submit to the state board the following:

(A) An application for a visiting scholar teaching license and the licensure fee;

(B) written verification from an administrator of an accredited or approved local education agency that the applicant will be employed if the license is issued; and

(C) documentation verifying the applicant's qualifications for the license as described on the application.

(2) Upon receipt of an application for a visiting scholar teaching license, the following requirements shall be met:

(A) The application and documentation submitted shall be reviewed by the commissioner of education or the commissioner's designee.

(B) A recommendation to the state board shall be made by the commissioner of education or the commissioner's designee on whether a visiting scholar teaching license should be issued to the applicant.

(3) The decision of whether a visiting scholar teaching license should be issued to any applicant shall be made by the state board.

(g) Visiting international teacher license.

(1) Each applicant for a visiting international teacher license shall submit to the state board the following:

(A) An application for a visiting international teacher license and the licensure fee;

(B) an official credential evaluation by a credential evaluator approved by the state board and listed on the state board's web site;

(C) verification of employment from the local education agency, including the teaching assignment, which shall be to teach in the content area of the applicant's teacher preparation or to teach the applicant's native language; and

(D) verification of the applicant's participation in the visiting international teacher program.

(2) The visiting international teacher license may be renewed for a maximum of four additional school years if the licensee continues to participate in the visiting international teacher program, the district will continue to employ the teacher, and the district certifies that the teacher's evaluation is at the effective level.

(h) Restricted teaching license.

(1) Each applicant for a restricted teaching license shall submit to the state board the following:

(A) An application for a restricted teaching license and the licensure fee;

(B) an official transcript or transcripts verifying completion of an undergraduate or graduate degree in the content area or with equivalent coursework in the area for which the restricted teaching license is sought. Heritage language speakers shall qualify as having met content equivalency for their heritage language;

(continued)

(C) verification of a minimum 2.75 grade point average on a 4.0 scale for the most recent 60 semester credit hours earned;

(D) verification that the applicant has attained a passing score on the content assessment;

(E) verification that the local education agency will employ the applicant if the license is issued;

(F) verification that the local education agency will assign a licensed teacher with three or more years of experience to serve as a mentor for the applicant;

(G) verification that the applicant has completed a supervised practical training experience through collaboration of the teacher education institution and the hiring local education agency;

(H) a statement from the licensing officer of a teacher education institution in Kansas attesting to the following:

(i) The applicant has on file a written plan that will qualify the applicant for standard licensure in the content area for which the restricted teaching license is sought;

(ii) the plan for program completion can be completed in not more than two years and contains a specific designation of the coursework that is to be completed each year;

(iii) the program provided to the applicant will meet the teacher education institution's approved professional education standards; and

(iv) the teacher education institution will provide the applicant with on-site support at the employing local education agency, including supervision of the applicant's teaching experience; and

(I) a statement verifying that the local education agency and the teacher education institution have collaborated regarding the approved program that the applicant will pursue and the support that the applicant will receive.

(2) The teacher education institution providing a plan of study for any person holding a restricted teaching license shall coordinate the submission of a progress report before July 1 of each year during the effective period of the restricted teaching license. This progress report shall verify the following:

(A) The applicant's contract will be renewed.

(B) The local education agency will continue to assign a mentor teacher to the applicant.

(C) The applicant has completed at least 50 percent of the plan to qualify for standard licensure.

(D) The institution will continue to support the applicant, on-site, as necessary.

(E) The applicant has attained at least a 2.75 GPA on a 4.0 scale in those courses specified in the applicant's plan for standard licensure.

(3) Each applicant who is unable to provide any verification or statement required in paragraph (h)(2) shall no longer be eligible to hold a restricted teaching license.

(i) Restricted school specialist license.

(1) Each applicant for a restricted school specialist license with endorsement for library media specialist or school counselor shall submit to the state board the following:

(A) An application for a restricted school specialist license and the appropriate fee;

(B) an official transcript or transcripts verifying completion of a graduate degree in the content area of counseling or library media;

(C) verification of at least three years of full-time professional counseling or librarian experience;

(D) verification of a minimum 3.25 cumulative grade point average on a 4.0 scale in graduate school specialist program coursework; and

(E) documentation that the following conditions are met:

(i) The local education agency has made reasonable attempts to locate and hire a licensed person for the restricted school specialist position that the applicant is to fill;

(ii) the local education agency will employ the applicant if the license is issued;

(iii) the local education agency has an agreement with an experienced school specialist in the same content area to serve as a mentor for the applicant;

(iv) the local educational agency will provide, within the first six weeks of employment, an orientation or induction program for the applicant;

(v) the local education agency has collaborated with a teacher education institution in Kansas regarding the program that the applicant will pursue to obtain standard licensure; and

(vi) the local education agency will provide release time for the candidate to work with the mentor and to work on progress toward program completion; and

(F) a statement from the licensing officer of a teacher education institution in Kansas attesting to the following:

(i) The applicant has on file a written plan that will qualify the applicant for standard licensure in the school specialist content area for which the restricted school specialist license is sought;

(ii) the plan for program completion can be completed in not more than three years and contains a specific designation of the coursework that is to be completed each year;

(iii) the program provided to the applicant will meet the teacher education institution's approved professional education standards;

(iv) the teacher education institution will provide the applicant with on-site support; and

(v) the teacher education institution has collaborated with the employing local education agency concerning the applicant's program.

(2) Each local education agency that employs a person holding a restricted school specialist license shall submit to the commissioner of education a progress report before July 1 of each year during the effective period of the restricted school specialist license. This progress report shall include the following:

(A) Verification that the applicant has attained passing scores on the content assessment by the end of the first year;

(B) verification from the chief administrative officer of the employing local education agency attesting to the following:

(i) The applicant's contract will be renewed; and

(ii) the local education agency will continue to assign a mentor to the applicant and provide accommodations to the applicant to work with the mentor and to complete the applicant's plan for standard licensure;

(C) a statement from the licensing officer of the applicant's teacher education institution attesting to the following:

- (i) The applicant has completed 50 percent of the applicant's plan to qualify for standard licensure; and
- (ii) the teacher education institution will continue to support the applicant, on-site, as necessary; and
- (D) an official transcript verifying that the applicant has attained at least a 3.25 GPA on a 4.0 scale in the courses specified in the applicant's plan for standard licensure.
- (3) Each applicant who is unable to provide any verification or statement required in paragraph (i)(2) shall no longer be eligible to hold a restricted school specialist license and shall return any previously issued restricted school specialist license to the state board.
- (j) Transitional license.
  - (1) Each applicant for a transitional license shall submit to the state board the following:
    - (A) Verification of meeting the requirements for any initial license or any professional license as provided in subsection (a) or (b) or in K.A.R. 91-1-204(c), except for recent credit or recent experience; or
    - (B) verification of having previously held any initial or any professional license or certificate issued by the state board that has been expired for six months or longer;
    - (C) an application for a transitional license; and
    - (D) the licensure fee.
  - (2) Any person who holds a transitional license issued under paragraph (j)(1)(A) may upgrade that transitional license to an initial license or a professional license by submitting to the state board the following:
    - (A) Verification of accredited experience during the term of the transitional license; or
    - (B)(i) Verification of having successfully completed eight hours of recent credit; or
    - (ii) verification of meeting the requirements in K.A.R. 91-1-205(b)(3)(C), if the person meets the requirements of K.A.R. 91-1-206.
  - (k) Provisional teaching endorsement license.
    - (1) Each applicant shall hold a currently valid initial teaching license or professional teaching license at any level and shall submit to the state board the following:
      - (A) Verification of completion of at least 50 percent of an approved teacher education program in the requested endorsement field;
      - (B) a deficiency plan to complete the approved program requirements from the licensing officer of a teacher education institution;
      - (C) verification of employment and assignment to teach in the provisional endorsement area;
      - (D) an application for a provisional teaching endorsement license; and
      - (E) the licensure fee.
    - (2) Each applicant for a provisional teaching endorsement license for high-incidence special education, low-incidence special education, deaf or hard-of-hearing, gifted special education, or visually impaired shall hold a currently valid initial teaching license or professional teaching license and shall submit to the state board the following:
      - (A) Verification of completion of coursework in the areas of methodology and the characteristics of exceptional children and special education, and completion of a practicum in the specific special education field;
      - (B) a deficiency plan to complete the requirements from the licensing officer of a teacher education institution;

- (C) verification of employment and the assignment to teach in the provisional endorsement area;
- (D) an application for a provisional teaching endorsement license; and
- (E) the licensure fee.
- (l) Provisional school specialist endorsement license. Each applicant shall submit to the state board the following:
  - (1) Verification of completion of 50 percent of a school specialist program;
  - (2) a deficiency plan for completion of the approved school specialist program from the licensing officer at a teacher education institution;
  - (3) verification of employment and assignment in the school specialty endorsement area for which licensure is sought;
  - (4) for a provisional library media or reading specialist endorsement license, verification of a currently valid professional teaching license;
  - (5) for a provisional school counselor endorsement license, the following:
    - (A) Verification from the employing local education agency that a person holding a professional school counselor specialist license will be assigned to supervise the applicant during the provisional licensure period; and
    - (B)(i) Verification of a currently valid initial teaching license or professional teaching license; or
    - (ii) verification from the licensure officer at the teacher education institution that the applicant has successfully completed additional field experiences consisting of at least one of the three-credit-hour courses or at least 35 of the 70 clock-hours specified in paragraph (a)(3)(F)(ii) and that the applicant will be supervised on-site by the teacher education institution during the first semester of the provisional license;
  - (6) an application for a provisional school specialist license; and
  - (7) the licensure fee.
- (m) STEM license.
  - (1) Each applicant for a STEM license shall submit to the state board the following:
    - (A) An official transcript verifying the granting of an undergraduate or graduate degree in one of the following subjects: life science, physical science, earth and space science, mathematics, engineering, computer technology, finance, or accounting;
    - (B) verification of at least five years of full-time professional work experience in the subject;
    - (C) verification that a local education agency will employ the applicant and assign the applicant to teach only the subject specified on the STEM license if the STEM license is issued;
    - (D) verification that the hiring local education agency will provide professional learning opportunities determined as appropriate by the hiring local education agency;
    - (E) an application for the STEM license; and
    - (F) the licensure fee.
  - (2) Any STEM licensee may apply for a STEM license valid for subsequent school years by submitting the following:
    - (A) The verifications specified in paragraphs (m)(1)(C) and (D);

(continued)

- (B) an application for renewal; and
- (C) the licensure fee.

(n) Limited-use teaching license. Each applicant for a limited-use teaching license shall submit to the state board the following:

(1) An official transcript verifying the granting of any bachelor's degrees and any graduate degrees;

(2) verification that an LEA will employ the applicant and assign the applicant to teach only the subject and grade level specified on the license if the license is issued;

(3) verification of the applicant's content knowledge in the subject of the applicant's assignment. Verification shall include one or more of the following:

(A) A degree in the subject;

(B) coursework equivalent to a major in the field;

(C) a passing score on the subject content assessment;

or  
(D) 4,000 hours of occupational experience in the subject;

(4) verification from the hiring LEA that the LEA will be responsible for developing the applicant through delivery of pedagogy coursework from an approved program in the subject;

(5) verification from the hiring LEA that the LEA has assigned a mentor to the applicant;

(6) an application for a limited-use teaching license; and

(7) the licensure fee. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 2003; amended July 1, 2003; amended Jan. 2, 2004; amended Aug. 5, 2005; amended Aug. 10, 2007; amended July 18, 2008; amended Aug. 28, 2009; amended Aug. 12, 2011; amended, T-91-6-30-14, June 30, 2014; amended Oct. 24, 2014; amended March 17, 2023.)

**91-1-204. Licensure of out-of-state and foreign applicants.** As used in this regulation, "accredited institution" shall mean any college or university outside of Kansas that has successfully completed an evaluation process through an educational association recognized for that purpose by the United States department of education.

(a) Despite any other licensure regulation, any person who meets the requirements of this regulation may be issued a license by the state board.

(b) (1) Any person who holds or has held a standard teaching, school leadership, or school specialist license issued by another state may apply for either an initial teaching license, an initial school specialist license, or an initial school leadership license or a professional teaching license, a professional school specialist license, or a professional school leadership license.

(2) To obtain an initial teaching license, each applicant specified in paragraph (b)(1) shall submit the following:

(A) An official transcript verifying the granting of a bachelor's degree;

(B) verification from the unit head or designee of an accredited institution that the applicant has completed a state-approved teacher education program. If the applicant is seeking licensure to teach content in grades 8 through 12, this verification shall not be required if the applicant submits verification of having secured a commitment for hire from a local education agency;

(C) verification of successful completion of a pedagogical assessment prescribed by the state board or evidence of successful completion of a pedagogical assessment in the state in which the applicant holds or has held a standard license;

(D) verification of successful completion of a content assessment or evidence of successful completion of an endorsement content assessment in the state in which the applicant holds or has held a standard license;

(E) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(F) a copy of the applicant's out-of-state standard license;

(G) an application for a Kansas license; and

(H) the licensure fee.

(3) To obtain a professional teaching license, each applicant specified in paragraph (b)(1) shall submit the following:

(A) An official transcript verifying the granting of a bachelor's degree;

(B) verification from the unit head or designee of an accredited institution that the applicant has completed a state-approved teacher education program. If the applicant is seeking licensure to teach content in grades 8 through 12, this verification shall not be required if the applicant submits verification of having secured a commitment for hire from a local education agency;

(C) a copy of the applicant's out-of-state standard teaching license;

(D)(i) Evidence of successful completion of pedagogical, content, and performance assessments prescribed by the state board or evidence of successful completion of the three assessments in the state in which the applicant holds or has held the standard license;

(ii) verification of at least three years of recent experience under a standard license; or

(iii) verification of at least five years of accredited experience under a standard license;

(E) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(F) an application for a Kansas license; and

(G) the licensure fee.

(4) To obtain an initial school leadership license, each out-of-state applicant shall submit the following:

(A) An official transcript verifying the granting of a graduate degree;

(B) verification from an accredited institution by the unit head or designee of completion of a graduate-level school leadership program;

(C) if application is made for a district leadership endorsement, verification from an accredited institution by the unit head or designee of completion of a state-approved building leadership program;

(D) verification of a minimum 3.25 cumulative GPA in graduate leadership program coursework;

(E) verification of successful completion of a school leadership content assessment as determined by the state board or documentation of successful completion of an appropriate leadership content assessment in the state in which the applicant holds or has held a standard leadership license;

(F) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(G) a copy of the applicant's out-of-state standard leadership license;

(H) an application for initial school leadership license;

(I) the licensure fee; and

(J) verification of five years of experience in a state-accredited school while holding a standard teaching license or standard school specialist license and having achieved the professional-level license, a professional occupational license, a leadership license, or a full career and technical education certificate.

(5) To obtain an initial school specialist license, each out-of-state applicant shall submit the following:

(A) An official transcript verifying the granting of a graduate degree;

(B) verification from an accredited institution by the unit head or designee of completion of a graduate-level school specialist program;

(C) verification of a minimum 3.25 cumulative GPA in graduate school specialist program coursework;

(D)(i) If application is made for a library media specialist endorsement or reading specialist endorsement, a valid professional teaching license; or

(ii) if application is made for a school counselor endorsement, a standard teaching license;

(E) verification of successful completion of a school specialist content assessment as determined by the state board;

(F) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(G) a copy of the applicant's out-of-state standard school specialist license;

(H) an application for an initial school specialist license; and

(I) the licensure fee.

(6) To obtain a professional school leadership license, each out-of-state applicant shall submit the following:

(A) An official transcript verifying the granting of a graduate degree;

(B) verification from an accredited institution by the unit head or designee of completion of a graduate-level school leadership program;

(C) verification of a minimum 3.25 cumulative GPA in graduate leadership program coursework;

(D) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(E) verification of five years of experience in a state-accredited school while holding a standard teaching license or standard school specialist license and having achieved the professional-level license, a professional occupational license, a leadership license, or a full career and technical education certificate;

(F)(i) Evidence of successful completion of the school leadership content assessment and completion in a state-accredited school of the school leadership performance assessment prescribed by the state board or evidence of successful completion of the two assessments in the state in which the applicant holds or has held a standard school leadership license;

(ii) verification of at least three years of recent experience in a school leadership position while holding a standard school leadership license; or

(iii) verification of at least five years of accredited

school leadership experience under a standard school leadership license;

(G) a copy of the applicant's out-of-state standard school leadership license;

(H) an application for the professional school leadership license; and

(I) the licensure fee.

(7) To obtain a professional school specialist license, each out-of-state applicant shall submit the following:

(A) An official transcript verifying the granting of a graduate degree;

(B) verification from an accredited institution by the unit head or designee of completion of a graduate-level specialist program;

(C) verification of a minimum 3.25 cumulative GPA in graduate school specialist program coursework;

(D) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(E)(i) If application is made for a library media specialist endorsement or reading specialist endorsement, a currently valid professional teaching license; or

(ii) if application is made for a school counselor endorsement, a standard teaching license;

(F)(i) Evidence of successful completion of the school specialist content assessment and completion in a state-accredited school of the school specialist performance assessment prescribed by the state board or evidence of successful completion of the two assessments in the state in which the applicant holds or has held a standard school specialist license;

(ii) verification of at least three years of recent experience in a school specialist position while holding a valid standard school specialist license; or

(iii) verification of at least five years of accredited school specialist experience under a standard school specialist license;

(G) a copy of the applicant's out-of-state standard school specialist license;

(H) an application for the professional school specialist license; and

(I) the licensure fee.

(8) Any person who holds a valid initial or professional school specialist license as a school counselor in another state where the counselor license is issued without a classroom teaching requirement may apply for an initial or professional school specialist license with endorsement for school counselor.

(A) To obtain an initial school specialist license with endorsement for school counselor, each applicant specified in paragraph (b)(8) shall submit to the state board the following:

(i) An official transcript verifying the granting of a graduate degree;

(ii) verification from an accredited institution by the unit head or designee of completion of a graduate-level school counselor program;

(iii) verification of a minimum 3.25 cumulative GPA on a 4.0 scale in graduate school specialist program coursework;

(iv) verification of at least one year of recent experience or at least eight semester hours of recent credit;

*(continued)*

(v) evidence of successful completion of the school counselor content assessment prescribed by the state board or evidence of successful completion of a school counselor assessment in the state in which the applicant holds or has held a standard school specialist license;

(vi) a copy of the applicant's out-of-state standard school specialist license;

(vii) an application for the school specialist license; and

(viii) the licensure fee.

(B) To obtain a professional school specialist license with endorsement for school counselor, each applicant specified in paragraph (b)(8) shall submit to the state board verification of all documentation specified in paragraph (b)(8)(A) and one of the following:

(i) Verification of at least three years of recent experience as a school counselor while holding a valid, standard school counselor license; or

(ii) verification of at least five years of accredited school counselor experience under a standard school counselor license.

(c)(1) Any person who holds a valid professional teaching license in another state and has earned national board certification issued by the national board for professional teaching standards may apply for an accomplished teaching license, which shall be valid for as long as the national board certificate is valid.

(2) To obtain an accomplished teaching license, each applicant specified in paragraph (c)(1) shall submit the following:

(A) Evidence of current national board certification;

(B) verification of a valid professional teaching license issued by another state;

(C) an application for an accomplished teaching license; and

(D) the licensure fee.

(d)(1)(A) Any person who holds a valid license in another state earned through completion of an alternative teacher-education program may apply for an interim alternative license.

(B) Any person who holds a valid license in another state earned through completion of an alternative teacher-education program and who has five or more years of accredited experience earned under a standard license, three years of which are continuous in the same local education agency, may apply for a professional teaching license by meeting the requirements of paragraph (b)(3).

(2) To obtain an interim alternative license, each applicant specified in paragraph (d)(1)(A) shall submit to the state board the following:

(A) An official transcript verifying the granting of a bachelor's degree;

(B) a copy of the applicant's currently valid out-of-state license;

(C) verification of completion of the alternative teacher-education program;

(D) verification of at least one year of recent experience or at least eight semester hours of recent credit;

(E) an application for an interim alternative license; and

(F) the licensure fee.

(3) Each person who holds an interim alternative license shall submit to the commissioner of education,

within the term of the interim alternative license, a request for review of the application by the licensure review committee.

(A) Upgrading the interim alternative license to the standard initial license shall require verification of the following:

(i) Successful completion of all requirements set by the licensure review committee and approved by the state board; and

(ii) successful completion of a pedagogical assessment and successful completion of a content assessment.

(B) Upgrading the interim alternative license to the professional level license shall require verification of the following:

(i) A recommendation from the licensure review committee and approval by the state board with no additional requirements specified; and

(ii) verification that the person meets the requirements of paragraph (b)(3)(D).

(e) Any person who has completed an education program from a foreign institution outside of the United States may receive an initial license if, in addition to meeting the requirements for the initial license as stated in K.A.R. 91-1-203, that person submits the following:

(1) An official credential evaluation by a credential evaluator approved by the state board; and

(2) if the person's primary language is not English, verification of passing scores on an English proficiency examination prescribed by the state board. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 2003; amended July 1, 2003; amended Aug. 10, 2007; amended July 18, 2008; amended Aug. 28, 2009; amended Aug. 12, 2011; amended, T-91-6-30-14, June 30, 2014; amended Oct. 24, 2014; amended March 17, 2023.)

**91-1-209. Additional endorsements.** (a) Any person who hold any currently valid teaching, school specialist, or school leadership license may add additional endorsements to that license by submitting to the state board the following:

(1) Verification from an accredited institution by a unit head or designee of completion of an approved content area program;

(2) verification of successful completion of the appropriate endorsement content assessment prescribed by the state board;

(3) an application for an added endorsement; and

(4) the application fee.

(b)(1) Except as specified in paragraph (b)(2), any person who holds a valid teaching license may add additional teaching endorsements by submitting to the state board the following, for each endorsement:

(A) Verification of successful completion of the endorsement content assessment prescribed by the state board;

(B) an application for the added endorsement; and

(C) the application fee.

(2) Teaching endorsements for early childhood, early childhood unified, early childhood through late childhood, high-incidence special education, low-incidence special education, elementary education unified, secondary education unified, gifted, deaf or hard-of-hearing, or visually impaired shall not be available under paragraph (b)(1).

(3) Each applicant adding a subject endorsement for technology and engineering education, family and consumer science, agriculture, or English for speakers of other languages shall verify completion of content-specific professional learning and assessment of the learning in addition to the requirements of paragraph (b) (1). The assessment shall be designed and administered by any teacher education institution providing a state board-approved program in the subject endorsement and shall address the essential knowledge and skills prescribed in the program standards, including student safety where applicable. The professional learning and assessment shall be reviewed during each teacher education institution's program review process as required in K.A.R. 91-1-235 and K.A.R. 91-1-236.

(4) An endorsement for driver education may be added

to a currently valid standard teaching license by submitting to the state board the following:

(A) An official transcript verifying completion of six semester hours of credit in driver education and three semester hours of credit in general safety from an approved program;

(B) an application for the driver education endorsement; and

(C) the application fee. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective July 1, 2003; amended Aug. 10, 2007; amended July 18, 2008; amended July 27, 2012; amended March 17, 2023.)

Randy Watson  
Commissioner of Education  
Department of Education

Doc. No. 050929

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended, and revoked administrative regulations with a future effective date and the *Kansas Register* issue in which the regulation can be found. A complete listing and the complete text of all currently effective regulations required to be published in the *Kansas Administrative Regulations* can be found at [https://www.sos.ks.gov/pubs/pubs\\_kar.aspx](https://www.sos.ks.gov/pubs/pubs_kar.aspx).

**AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER**

Reg. No.	Action	Register
17-11-24	New	V. 42, Issue 8

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can

be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*.

Reg. No.	Action	Register	Register
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111-4-3696	New	V. 41, Issue 6	111-15-3 Amended V. 41, Issue 33
111-4-3697	New	V. 41, Issue 6	111-18-3 Amended V. 41, Issue 29
111-4-3698	New	V. 41, Issue 6	111-18-8 New V. 41, Issue 29
111-4-3699	New	V. 41, Issue 6	111-19-2a Amended V. 41, Issue 12
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111-4-3707	New	V. 41, Issue 9	111-19-128 New V. 41, Issue 29
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