

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

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

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

(1) An outline or syllabus of each course offered in Kansas;

(2) a description of the institution's facilities, equipment, and instructional materials;

(3) a certification by an owner of the applicant institution or the owner's designee that the building that is to house the institution meets the requirements of all local, state, and federal regulations;

(4) a resume of each administrator and instructor that includes the individual's education, previous work experience, professional activities, and, if applicable, licensure;

(5) evidence of the institution's professional development and in-service activities;

(6) a copy of the proposed catalog or, if existing, a copy of each of the institution's most recent catalogs, bulletins, and brochures, with any supplements, or functional equivalents;

- (7) a copy of the enrollment ~~agreement~~ documents, or functional equivalent;
- (8) a copy of the credential to be given to each student upon completion of a program;
- (9) a description of how the student and administrative records are maintained as required by K.A.R. 88-28-2;
- (10) a copy of any advertising used;
- (11) a financial statement showing income and expenditures for the most recent, complete fiscal year. These documents shall be prepared and acknowledged by a certified public accountant and, in the case of an institution requesting degree-granting authority, shall be audited by a certified public accountant;
- (12) ~~a ledger sheet for each student showing the receipt of money for tuition, fees, books, supplies, and any other items charged to the student; and~~ for an institution in its first calendar year of operation, a business plan with the initial application, which shall include the following:
- (A) An income statement that provides projected revenue and expenses for the first year of operation; and
- (B) written documentation evidencing the amounts and sources of capital currently available to the institution for payment of start-up costs and any potential losses; and
- (13) a copy of any certificate of accreditation issued to the institution by a regional or national accrediting agency recognized by the United States department of education.

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

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

- ~~(A) The application material submitted by the institution;~~
- ~~(B) the evaluation arising from the on-site visit, if any;~~
- ~~(C) the examining team's report as described in K.A.R. 88-28-4, if any; and~~
- ~~(D) any information or documentation that the institution provides at the meeting with the state board's executive officer or designee as described in K.A.R. 88-28-4.~~

~~(e) (d)~~ If an institution is found to be eligible for a certificate of approval, an owner of the applicant institution or the owner's designee shall be notified of the conditional approval of the institution. Following notification, an owner of the applicant institution or the owner's designee shall furnish a surety bond or other equivalent security acceptable to the state board in the amount of \$20,000, as required by K.S.A. 74-32,175

and amendments thereto. A certificate of approval shall not be issued until the surety bond or other security is filed with and accepted by the state board.

~~(f)~~(e) On the state board's own motion or upon a written complaint filed by any person doing business with the institution, an investigation of the institution may be conducted by the state board. Based upon the results of the investigation, the institution may be ordered by the state board to take corrective action, or proceedings may be initiated by the state board to revoke or condition the institution's certificate of approval ~~under the provisions of K.S.A. 74-32,172 and amendments thereto~~. The approval to grant degrees may be revoked in whole or for specific degree programs if an institution is not in compliance with the minimum standards specified in K.S.A. 74-32,169, and amendments thereto, and K.A.R. 88-28-2.

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

- (1) An outline of the curriculum to be offered for the new degree;
- (2) the qualifications of the faculty to be involved in the program of study;
- (3) the relationship of the new degree program to the mission of the institution;

and

(4) any other information requested by the board. (Authorized by K.S.A. ~~2005~~  
2016 Supp. 74-32,165; implementing K.S.A. ~~2005~~ 2016 Supp. 74-32,167, 74-32,168, 74-  
32,172, and 74-32,175; effective Oct. 20, 2006; amended P- \_\_\_\_\_.)