

Kansas Administrative Regulations

State Department of Education

Article 22.—Professional Practices Commission

91-22-1b. Suspension or revocation of license; public censure; grounds; report.

(a) Any license issued by the state board may be suspended or revoked, or the licensee may be publicly censured by the state board, for misconduct or other just cause, including any of the following reasons:

(1) Pleading guilty, nolo contendere, or no contest to or having been otherwise found guilty of any of the following, regardless of whether sentence is imposed:

(A) Any crime punishable as a felony;

(B) any crime involving a child under the age of 18, other than the accused, as an element or instrumentality of the crime;

(C) any crime involving a theft;

(D) any crime involving drug-related conduct;

(E) any crime defined in K.S.A. 21-3601 et seq. and amendments thereto, before repeal of those statutes, or K.S.A. 21-5601 et seq. and amendments thereto; or

(F) any attempt, as defined by K.S.A. 21-3301 and amendments thereto, before its repeal, or K.S.A. 21-5301, and amendments thereto, to commit any crime specified in this subsection;

(2) commission or omission of any act that injures the health or welfare of a minor through physical or sexual abuse or exploitation;

(3) engaging in any sexual activity with a student;

(4) engaging in any behavior that can reasonably be construed as involving an inappropriate and overly personal and intimate relationship with, conducts toward, or focus on a student;

(5) engaging in bullying, as defined in K.S.A. 72-6147 and amendments thereto;

(6) engaging in conduct that results in substantiated findings of abuse by the Kansas department for children and families;

(7) failing to report abuse or neglect of any child pursuant to K.S.A. 38-2223(a) through (d), and amendments thereto, for a period not to exceed five years from the failure to report;

(8) engaging in academic dishonesty;

(9) breach of an employment contract with an education agency by abandonment of the position;

(10) failing to notify the commissioner of education as required in subsection (f);

(11) entry into a criminal diversion agreement after being charged with any offense or act described in this subsection;

(12) obtaining, or attempting to obtain, a license by fraudulent means or through misrepresentation of material facts; or

(13) denial, revocation, cancellation, or suspension of any professional license in any state on grounds similar to any of the grounds described in this subsection.

(b) A certified copy of a journal entry of conviction or other court document indicating that an individual has pled guilty, nolo contendere, or no contest or has been otherwise found guilty, regardless of whether sentence is imposed, of a crime shall be conclusive evidence of the commission of that crime in any proceeding instituted against the individual to publicly censure, suspend, or revoke a license.

(c) In any proceeding instituted against an individual to publicly censure, suspend, or revoke a license for conduct described in subsection (a), the fact that the individual has appealed a conviction shall not prevent any proceeding concerning public censure, suspension, or revocation of the license.

(d)(1) Suspension or revocation of a license shall suspend or revoke all endorsements on the license.

(2) Suspension of a license shall be for a definite period of time. A suspended license shall be automatically reinstated at the end of the suspension period if the license did not expire during the period of suspension. If the license expired during the period of suspension, the individual may submit an application for a new license, which may be issued only after the suspension period.

(3) Revocation of a license shall be permanent, except as provided in K.A.R. 91-22-1a.

(e) Before any license is suspended or revoked by the state board for any act described in subsection (a), the person shall be given notice and an opportunity for a hearing to be conducted before the professional practices commission in accordance with this article of the department's regulations.

(f) The chief administrative officer of a public or private school accredited by the state board shall notify the commissioner of education within 30 days of the name, address, and license number of any licensee who resigns or is dismissed, suspended, placed on administrative leave, or otherwise separated from employment with a school for any act described in subsection (a).

(Authorized by article 6, section 2 of the Kansas Constitution and K.S.A. 74-120; implementing article 6, section 2 of the Kansas Constitution and K.S.A. 72-2155, 72-2165, 72-2313, and 74-120; effective April 12, 2024.)

***** Authenticated Kansas Administrative Regulation *****