

Kansas Administrative Regulations

State Department of Education

Article 22.—Professional Practices Commission

91-22-9. Answer; time to file; form; content; right to amend.

(a) Each person charged in a complaint shall have 15 days after receipt of the complaint in which to file an answer. Each answer to a complaint shall be submitted to the commission's secretary by certified mail, return receipt requested, or by personal delivery.

If no answer is filed within the prescribed period, the person shall be deemed to have admitted the allegations contained in the complaint and to have acquiesced in the proposed action, and the complaint shall proceed directly to the state board for default findings.

(b) Each person filing an answer shall type, sign, and swear to the contents of the answer. The caption of any answer shall repeat the caption of the complaint in response to which the answer is filed, except that the title shall state "answer" instead of "complaint."

(c) Each person filing an answer shall specify each responsive allegation or defense in clear and concise language and in separately numbered paragraphs. The person filing the answer shall admit or deny each allegation contained in the complaint. If the person is without knowledge or information sufficient to form a belief as to the truth of an allegation, the person shall state this in the answer, and this shall have the effect of a denial. Each person filing an answer shall attach to the answer as exhibits or, if unavailable, shall reference in the answer any written instruments or documents under the control of, or known to, the person filing the answer that are relevant to the charges in the complaint or that the person intends to use in defending the charges.

(d) Any person filing an answer may amend the answer once at any time within 30 days after service of the complaint. Each amended answer shall be filed with the commission's secretary by certified mail, return receipt requested, or by personal delivery.

(e) Upon application to, and order of, the commission's secretary, the time in which to file an answer may be extended once for a period not to exceed 10 additional days. (Authorized by article 6, section 2 of the Kansas Constitution; implementing article 6, section 2 of the Kansas Constitution and K.S.A. 72-2314; effective Jan. 1, 1972; amended Feb. 15, 1977; amended May 1, 1979; amended May 19, 2000; amended April 12, 2024.)

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