

2012 Kansas Statutes

76-3110. Initiation of proceedings to effect termination of participation in federal programs; notice; hearings, request for, appointment of presiding officer, time; opinion; conclusive determination; notification of institution and U.S. secretary of education. (a) The KPR board may initiate a proceeding to effect termination of a postsecondary institution's participation in federal student aid programs by serving written notice upon the institution that the board has determined that the institution should not be eligible for participation in such programs. The notice shall include a statement of the reasons for the determination and a statement that the institution may contest the finding before a presiding officer upon written request filed with the KPR board. The request to be heard must be filed within 15 days from the date of the notice of the board's determination. Upon receipt of a request by an institution to be heard, the KPR board shall notify the secretary of labor that the appointment of a presiding officer is required. Within 10 days after receipt of notification from the KPR board, the secretary of labor shall request a presiding officer.

(b) Any hearing requested by a postsecondary institution as provided in subsection (a) shall be commenced within 15 calendar days after the presiding officer is requested and shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Within 30 days after close of the hearing, the presiding officer shall render a written opinion setting forth the presiding officer's findings of fact and recommendation as to the determination of the matter. The opinion shall be submitted to the KPR board and to the postsecondary institution. If, after receipt of the presiding officer's opinion, the KPR board concludes that the board's determination that the institution should not be eligible for participation in federal student aid programs was warranted, the board shall notify the institution and the secretary of education of the determination and the reasons therefor.

History: L. 1995, ch. 73, § 5; L. 2004, ch. 179, § 143; L. 2009, ch. 143, § 31; July 1.

Revisor's Note:

Section was also amended effective July 1, 2009, by L. 2004, ch. 145, § 36, but that version was repealed by L. 2009, ch. 143, § 37.