

# KANSAS REGISTER

State of Kansas

**BILL GRAVES**  
Secretary of State

Vol. 7, No. 35

September 1, 1988

Pages 1481-1526

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## State of Kansas

## LEGISLATURE

## INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of September 5 through September 18:

Date	Room	Time	Committee	Agenda
Sept. 6	519-S	10:00 a.m.	Special Committee on Local Government	Hearings on Proposal No. 33—Lease-Purchase Agreements
Sept. 7	519-S	9:00 a.m.		
Sept. 8	529-S	10:00 a.m.	Commission on Access to Services for the Medically Indigent and the Homeless	Commission discussion of issues and preliminary recommendations.
Sept. 9	529-S	9:00 a.m.		
Sept. 8	514-S	10:00 a.m.	Special Committee on School Finance	8th: Committee discussion on school finance issues. 9th: Ad Hoc Committee Plan.
Sept. 9	514-S	9:00 a.m.		
Sept. 12	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda unavailable at this time.
Sept. 13	514-S	9:00 a.m.		
Sept. 14	526-S	10:00 a.m.	Special Committee on Commercial and Financial Institutions	1st: Hearings on Proposal No. 12—Abolishing the Health Care Stabilization Fund. 2nd: Staff briefing and hearings on Proposal No. 10—Interstate Banking.
Sept. 15	526-S	9:00 a.m.		
Sept. 14	527-S	10:00 a.m.	Legislative Educational Planning Committee	Agenda unavailable at this time.
Sept. 15	527-S	9:00 a.m.		
Sept. 16	519-S	9:00 a.m.	Special Committee on Assessment and Taxation	Agenda unavailable at this time.
Sept. 16	529-S	10:00 a.m.	Joint Committee on Special Claims Against the State	Agenda unavailable at this time.

WILLIAM R. BACHMAN  
Director of Legislative  
Administrative Services

Doc. No. 006964

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Phone: (913) 296-3489

## State of Kansas

**STATE CONSERVATION COMMISSION****NOTICE TO CONTRACTORS**

Sealed bids for the construction of a 33,000 cubic yard detention dam, Site 117 in Lyon County, will be received by the Upper Marais des Cygnes Watershed Joint District No. 101 at Miles Engineering & Surveying, 815 Graham Street, Emporia 66801, until noon, September 8, and at the Grocery Store/Cafe in Admire until 5 p.m., and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from the Miles Engineering & Surveying, (316) 343-6600.

**KENNETH F. KERN**  
Executive Director

Doc. No. 006951

## State of Kansas

**DEPARTMENT OF HUMAN RESOURCES****NOTICE OF PUBLIC FORUM ON JTPA ISSUES**

The Department of Labor will conduct a public review of the Job Training Partnership Act (JTPA) program with an interim report planned for January 1989. This report will be initiated by the National JTPA Advisory Council for the purpose of developing options and recommendations based on state and local thoughts and opinions.

The public forum on JTPA issues will be held Thursday, September 8, from 3 p.m. to 5 p.m., and Friday, September 9, from 8 a.m. to 10 a.m. at the Holiday Inn/Holidome, 605 Fairlawn, Topeka.

All JTPA interest groups are invited to participate in this public discussion. Written testimony must accompany all oral presentations at the forum.

**DENNIS R. TAYLOR**  
Secretary of Human Resources

Doc. No. 006950

## State of Kansas

**DEPARTMENT OF HUMAN RESOURCES****NOTICE OF KCET EXECUTIVE  
SUBCOMMITTEE MEETING**

The Executive Subcommittee of the Kansas Council on Employment and Training will meet Thursday, September 8, at the Holiday Inn/Holidome, 605 Fairlawn, Topeka, from 10:30 a.m. to 2:30 p.m.

The executive subcommittee will receive information, ideas and observations on the makeup, functions and obligations of Local Elected Official Boards (LEOB).

The meeting is open to the public.

**DENNIS R. TAYLOR**  
Secretary of Human Resources

Doc. No. 006949

## State of Kansas

**DEPARTMENT OF HUMAN RESOURCES****NOTICE OF KCET MEETING**

The Kansas Council on Employment and Training (KCET) will meet at the Holiday Inn/Holidome, 605 Fairlawn, Topeka, from 3 to 5 p.m. Friday, September 9.

The meeting is open to the public.

**DENNIS R. TAYLOR**  
Secretary of Human Resources

Doc. No. 006948

## State of Kansas

**SOCIAL AND REHABILITATION SERVICES****NOTICE OF OPEN MEETING**

The Department of Social and Rehabilitation Services will meet at 9 a.m. Tuesday, September 13, in the SRS Staff Development Training Center, 300 S.W. Oakley, Topeka.

The scheduled agenda includes:

9:00 a.m. Program issues by area directors.

9:30 a.m. Community concerns.

9:45 a.m. Request ideas related to possible legislation.

Other items as necessary.

The public is invited to this meeting. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hiawatha, Hutchinson, Junction City, Kansas City, Lawrence, Olathe, Osawatomie, Parsons, Pittsburg, Pratt, Salina, Topeka (area office and Docking State Office Building), Wichita and Winfield.

**WINSTON BARTON**  
Secretary of Social and  
Rehabilitation Services

Doc. No. 006961

## State of Kansas

**SOCIAL AND REHABILITATION SERVICES  
ADVISORY COMMITTEE****NOTICE OF MEETING**

The Rehabilitation Services Advisory Committee will meet at 10 a.m. Wednesday, September 7, at the Hays Public Library, Gallery Room, 1st Floor, 205 Main, Hays.

**GABRIEL R. FAIMON**  
Commissioner

Doc. No. 006962

State of Kansas

STATE BANKING BOARD

NOTICE OF MEETING

The State Banking Board will meet in the conference room of the State Banking Department, 700 Jackson, Suite 300, Topeka, at 9:30 a.m. Monday, September 19. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 et seq.

W. NEWTON MALE  
State Bank Commissioner

Doc. No. 006958

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT  
STATE EMERGENCY RESPONSE COMMISSION

NOTICE OF MEETING

The State Emergency Response Commission will hold a regular business meeting at 9 a.m. Tuesday, September 13, in the State Defense Building, 2800 S. Topeka Blvd., Topeka.

STANLEY C. GRANT, Ph.D.  
Secretary of Health and Environment

Doc. No. 006959

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING KANSAS WATER POLLUTION CONTROL PERMIT

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for water pollution abatement facilities for the feedlots described below.

The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards and regulations of the state of Kansas and the EPA. The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit upon issuance will constitute a state water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
Charles Zortman, Valley Cattle and Fowler Feeders Box 102—RR #1 Fowler, Kansas 67844	SE¼ Section 27, Township 30S, Range 27W, of Meade County, Kansas	Cimarron River Basin

Kansas Permit No. A-CIME-C003 Federal Permit No. KS-0086142  
The feedlot has capacity for approximately 9,750 cattle and a contributing drainage area of approximately 37 acres.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 13.25 acre-feet.

Compliance Schedule: None, existing controls adequate.

Persons wishing to comment upon or object to the proposed NPDES permits are invited to submit them in writing to the attention of Bethel Spotts, Permit Clerk, Permits and Compliance Section, Kansas Department of Health and Environment, Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620.

All comments received prior to September 30 will be considered in the formulation on final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-88-19) and name of applicant as listed in preparing your comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations within 30 days of this notice. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday.

These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice may also be obtained at the address above.

STANLEY C. GRANT, Ph.D.  
Secretary of Health and Environment

Doc. No. 006972

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING UNDERGROUND INJECTION CONTROL PERMIT

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, a tentative modified permit has been prepared for the construction of one non-hazardous disposal well within the state of Kansas for the applicant described below. The permit shows a modification in well location.

Name and Address of Applicant	Well Number	Well Location
American Salt Company P.O. Box 498 Lyons, Kansas 67554 Rice County, Kansas	Well #4	NWNWSE 29-20-7W, Rice County, Kansas 2490' fsl and 2354' fel of SE/4

Kansas Permit No. KS-01-159-006

Description of Facility: This well is designed for disposal of sodium chloride contaminated groundwater resulting from an aquifer remediation project. This is a modified permit showing a change in location.

Persons wishing to comment upon or object to the proposed determinations are invited to submit them in writing to the attention of Bethel Spotts, Permit Clerk,

Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620.

All comments received prior to September 30 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate number (KS-EG-88-22) and name of applicant as listed in preparing your comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. The application, proposed permit, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday.

These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice may also be obtained at the address above.

STANLEY C. GRANT, Ph.D.  
Secretary of Health  
and Environment

Doc. No. 006971

State of Kansas

DEPARTMENT OF HEALTH  
AND ENVIRONMENT

NOTICE CONCERNING KANSAS  
WATER POLLUTION CONTROL PERMIT

In accordance with state regulations 28-16-57 through 63 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the EPA, and will, when issued, result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address of Applicant	Waterway	Type of Discharge
Natural Gas Pipeline Company of America Attn: Mr. L. R. Frank 701 E. 22nd Street P.O. Box 1207 Lombard, IL 60148 Russell County, KS	Smoky Hill River Smoky Hill River Basin	Hydrostatic test water

Kansas Permit No. I-SH40-P001      Federal Permit No. KS-0086134  
Description of Facility: Water is discharged to the Smoky Hill River after it is used to hydrostatically test an existing natural gas pipeline. This is a new facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Waterway	Type of Discharge
Cedar Creek Wastewater Treatment Plant c/o City of Olathe 100 West Santa Fe P.O. Box 768 Olathe, KS 66061	Cedar Creek	Secondary Wastewater Treatment Facility

Kansas Permit No. M-KS52-1006      Federal Permit No. KS-0081299  
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Persons wishing to comment upon or object to the proposed determinations are invited to submit them in writing to the attention of Bethel Spotts, Permit Clerk, Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620. All comments received prior to September 30 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-88-55/56) and name of applicant as listed in preparing your comments.

If no objections are received prior to September 30, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice may also be obtained at the address above.

STANLEY C. GRANT, Ph.D.  
Secretary of Health  
and Environment

Doc. No. 006970

## State of Kansas

**BOARD OF AGRICULTURE****NOTICE**

Notice is hereby given that pursuant to 7 U.S.C. 136v, Ciba-Geigy Co. has filed an application for a special local need registration for Triumph insecticide.

The purpose of the proposed special local need registration is to allow the use of this pesticide for lawn insect control, which EPA has defined as all grassy sites. The special local need registration, if granted, will allow the use of this pesticide on golf course tees, greens, and aprons only, and on sod farms.

Information submitted by the applicant is on file with the Kansas State Board of Agriculture. Anyone wishing to present written comments, data, or other evidence in support of or in opposition to the proposed special local need registration may do so on or before October 3, 1988. Written comments, data or other evidence should be submitted to: Jon I. Flint, Plant Health Division, Kansas State Board of Agriculture, 109 S.W. 9th, Topeka, 66612.

**JON I. FLINT**  
Administrator  
Plant Health Division

Doc. No. 006975

## State of Kansas

**ANIMAL HEALTH DEPARTMENT****NOTICE OF CORRECTION**

The assignment of the distinguishing numbers for the proposed permanent regulations addressing Pseudorabies has previously been used by the Animal Health Department for permanent regulations of Kansas Livestock Dealers.

The Pseudorabies regulations are now revised and assigned new distinguishing numbers of 9-17-1 through 9-17-5 in place of 9-14-1 through 9-14-5 as printed in the Kansas Register, August 11, 1988.

**A.T. KIMMELL, D.V.M.**  
Livestock Commissioner

Doc. No. 006973

## State of Kansas

**KANSAS INSURANCE DEPARTMENT****NOTICE OF HEARING  
ON PROPOSED  
ADMINISTRATIVE REGULATIONS**

A public hearing will be held October 3 at 10 a.m., in the third floor conference room of the Kansas Insurance Department, 420 S.W. 9th Street, Topeka, to consider the adoption of a proposed permanent regulation of the Insurance Department.

Copies of the full text of the regulation and the economic impact statement may be obtained by writing to the Commissioner of Insurance, 420 S.W. 9th Street, Topeka, Kansas 66612. The following is a summary of the economic impact statement and the regulation:

The proposed amendments to K.A.R. 40-7-13 result from the enactment of House Bill No. 3055 (1988) and the consequent authority of the Commissioner to delegate the development and conduct of agents licensing examinations to a private firm.

House Bill No. 3055 increases the number of classes of insurance for which agents licensing examinations are required. As a result, accident and health insurance and variable contracts are no longer appropriate subclass designations. In addition, a number of the other subclasses previously designated by the commissioner are being eliminated as a part of a transition to a computer generated examination system.

Finally, by the proposed amendments to this regulation a more traditional standard for measuring successful completion of the agents licensing examination will be affected. Specifically, a pass/fail will be determined on the basis of the entire examination rather than recording a test score on each of several parts.

All interested parties may submit written comments at any time prior to the hearing by addressing them to the Commissioner of Insurance, 420 S.W. 9th Street, Topeka, 66612. The period of time between the date of publication of this notice and the public hearing scheduled for October 3, 1988 shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

**FLETCHER BELL**  
Commissioner of Insurance

Doc. No. 006963

## State of Kansas

**DEPARTMENT OF TRANSPORTATION****NOTICE TO CONTRACTORS**

Sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. September 15, 1988, and then publicly opened:

**DISTRICT SIX—Southwest**

Grant—25-34 K-3128-01—K-25, South Fork Cimarron River bridge 7, 11.1 miles south of U.S. 160, bridge painting. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any

collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the project may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

HORACE B. EDWARDS  
Secretary of Transportation

Doc. No. 006932

## State of Kansas

### ATTORNEY GENERAL

Opinion No. 88-117

**Laws, Journals and Public Information—Records Open to Public—Documents Concerning Attorneys who Fail to Timely Pay the Registration Fee.** Lewis C. Carter, Clerk, Kansas Supreme Court, Topeka, August 22, 1988.

The letter of notice sent by the Clerk of the Supreme Court to attorneys who fail to register and pay the fee for renewal of their license by July 1 each year, and the return receipt are public records as that term is defined by the Kansas open records act (KORA), K.S.A. 45-215 *et seq.* These documents are subject to mandatory disclosure as the letter constitutes correspondence intended to give notice of an action relating to a regulatory and enforcement responsibility of the Clerk's office. K.S.A. 1987 Supp. 45-221(a)(14).

The list of attorneys certified by the clerk to the Supreme Court who have failed to register and pay the fee, and an order of the Supreme Court suspending an attorney from the practice of law for that reason are also public records which must be disclosed to the public upon request. Cited herein: K.S.A. 45-215; 45-216; 45-217; K.S.A. 1987 Supp. 45-221. RLN

Opinion No. 88-118

**Fire Protection—Fire Safety and Prevention—Safety Standards for Firefighters' Clothing.** Harold T. Walker, Kansas City City Attorney, Kansas City, August 23, 1988.

1988 House Bill No. 2812 (L. 1988, ch. 126) requires "any item of clothing . . . intended to protect firefighters from death or injury while fighting fires" to meet the standards established by the National Fire Protection Association. This requirements does not extend to work/station clothing worn by firefighters while on duty. Cited herein: L. 1988, ch. 126. RLN

ROBERT T. STEPHAN  
Attorney General

Doc. No. 006965

## State of Kansas

### SECRETARY OF STATE

#### EXECUTIVE APPOINTMENTS

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officials are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed August 15 through September 1:

#### State Representative, 59th District

**Denise Everhart**, 4332 S.E. Heathcliff, Tecumseh 66542. Effective August 17, 1988. Expires when a successor is elected and qualifies according to law. Succeeds Charles Laird, resigned.

#### Gove County Sheriff

**Ronald B. Achilles**, R.R. 1, Box 143, Quinter 67752. Effective August 18, 1988. Expires when a successor is elected and qualifies according to law. Succeeds Dean Baum, resigned.

#### Kansas, Inc.

**John B. Walsh**, 2405 Plumthicket Court, Wichita 67226. Effective August 15, 1988. Term expires June 30, 1992. Subject to Senate confirmation. Succeeds himself.

#### State Board of Mortuary Arts

**Philip W. Felton**, 2100 Jefferson, Great Bend 67530. Effective August 15, 1988. Term expires July 31, 1991. Succeeds himself.

**Cecile A. Lindsey**, Route 1, Pomona 66076. Effective August 15, 1988. Term expires July 31, 1991. Succeeds herself.

**Gerald L. Webb**, 306 W. Main, Independence 67301. Effective August 15, 1988. Term expires July 31, 1991. Succeeds himself.

#### Kansas Law Enforcement Training Commission

**Larry Blomenkamp**, 522 Mechanic, Emporia 66801. Effective August 15, 1988. Expires July 1, 1992. Succeeds himself.

**Paul S. Kalmar**, 544 W. Avenue B, Kingman 67068. Effective August 15, 1988. Expires July 1, 1992. Succeeds himself.

BILL GRAVES  
Secretary of State

State of Kansas

## OFFICE OF JUDICIAL ADMINISTRATION

## SUPREME COURT DOCKET

(Note: Dates and times of arguments are subject to change.)

Case No.	Case Name	Attorneys	County
61,470	Edward L. Atkinson, <i>et al.</i> , Appellants, v. The Wichita Clinic, P.A., <i>et al.</i> , Appellees.	Artie E. Vaughn Darrell L. Warta Craig W. West James Z. Hernandez	Sedgwick
61,345	State of Kansas, Appellee, v. Carl E. Howard, Appellant.	Robert T. Stephan, Attorney General Debra Barnett, Assistant District Attorney Benjamin C. Wood	Sedgwick
60,649	State of Kansas, Appellee, v. Richard Lee McCarther, Appellant.	Robert T. Stephan, Attorney General Debra Barnett, Assistant District Attorney Benjamin C. Wood	Sedgwick
61,854	City of Derby, Appellant, v. Richard L. Lackey, Appellee.	Bruce A. Swenson Leslie F. Hulnick Geary N. Gorup	Sedgwick
1:30 p.m.			
60,392	State of Kansas, Appellee, v. Michael A. Anderson, Appellant.	Robert T. Stephan, Attorney General Debra Barnett, Assistant District Attorney Benjamin C. Wood	Sedgwick
61,568	State of Kansas, Appellee, v. Jeffrey L. Macy, Appellant.	Robert T. Stephan, Attorney General Debra Barnett, Assistant District Attorney Gerald J. Domitrovic	Sedgwick
61,379	State of Kansas, Appellee, v. Mark V. Ray, Appellant.	Robert T. Stephan, Attorney General Debra Barnett, Assistant District Attorney Clay Cox	Sedgwick Consolidated
61,609	State of Kansas, Appellee, v. Edward Dixson, Appellant.	Robert T. Stephan, Attorney General Debra Barnett, Assistant District Attorney Clay Cox	Sedgwick



Tuesday, September 13, 1988  
9:30 a.m.

Case No.	Case Name	Attorneys	County
(60,121) (60,554) Consolidated	O. L. Carney and Mary Ellen Carney, Appellees,  v. Jack Gebhardt, <i>et al.</i> , Appellants.	Forrest E. Short  James L. Wisler C. John Lozano Richard M. Smith David Mullies	Linn  On Petition for Review
60,778	In the Matter of the Driving Privileges of CHARLES R. VANDEVER.	Brian Cox Grant Brook  John K. Chenoweth	Wilson  On Petition for Review
60,685	State of Kansas, Appellee,  v. Jimmy D. Metcalf, Appellant.	Robert T. Stephan, Attorney General Michael Buser, Assistant District Attorney  Benjamin C. Wood	Johnson
61,769	State of Kansas, Appellant,  v. Mark Hudon, Appellee.	Robert T. Stephan, Attorney General Thomas Kelly Ryan, Assistant District Attorney  Steve Schweiker	Johnson
1:30 p.m.			
61,847	The Overland Park Savings & Loan Association, Appellant.  v. David K. Miller, <i>et al.</i> , Appellees.	David L. Skidgel Betsy J. Morgan  Douglas Lancaster Richard H. Seaton Ron Bodinson Robert J. Campbell	Johnson
61,956	State of Kansas, Appellant,  v. Derek A. Victor, Appellee.	Robert T. Stephan, Attorney General Mike Ward, County Attorney  Robb W. Rumsey	Butler
62,042	State of Kansas, Appellant,  v. Michael Edward Neal, Appellee.	Robert T. Stephan, Attorney General Russell D. Canaday, Assistant County Attorney  Joe Levy	Montgomery

(continued)

Wednesday, September 14, 1988

9:30 a.m.

Case No.	Case Name	Attorneys	County
(60,440) (60,705) Consolidated	Edward N. Robertson, guardian and conservator of Ida Ludwig, Appellant, v. Argentine Savings and Loan Association, <i>et al.</i> , Appellees.	Elizabeth A. Carson  Laurence M. Jarvis	Wyandotte  On Petition for Review
60,675	James Goodwin, <i>et al.</i> , Appellees, v. The City of Kansas City, Kansas, a Municipal Corporation, <i>et al.</i> , Appellants.	Rodney L. Turner  N. Cason Boudreau R. Scott Beeler	Wyandotte
60,602	Joyce Vogeler, Appellant, v. Garry D. Owen, M.D., Appellee.	Mark A. Johnson  Eugene B. Ralston Kevin L. Diehl	Douglas On Petition for Review
60,646	State of Kansas, Appellee, v. Nordell F. Glover, Appellant.	Robert T. Stephan, Attorney General William E. Kennedy, III, County Attorney  Benjamin C. Wood	Riley

1:30 p.m.

62,090	Verlyn D. Osborne, <i>et al.</i> , Appellants, v. The City of Manhattan, Kansas, a Municipal Corporation, Appellee.	Michael A. Preston  William L. Frost	Riley
61,815	State of Kansas, Appellant, v. Richard A. Smith, Appellee.	Robert T. Stephan, Attorney General John H. Taylor, Assistant County Attorney  Benjamin C. Wood Steven R. Zinn	Geary

Thursday, September 15, 1988

9:30 a.m.

Case No.	Case Name	Attorneys	County
60,180	James M. Bauer, Appellant, v. Board of Education, U.S.D. No. 452, Johnson, Kansas, Appellee.	David M. Schauner  M. Moran Tomson	Stanton On Petition for Review
60,428	Dallas D. Lloyd, Appellant, v. National Beef Packing Company, Appellee.	Robert A. Levy  Gene Sharp	Seward On Petition for Review
62,078	Charles Dollison, Appellee, v. Osborne County, Kansas, Appellant.	Jerry Harrison  Vernon L. Steerman	Osborne

61,898	State of Kansas, Appellant, v. Aaron J. Nicholson, Appellee.	Robert T. Stephan, Attorney General Gene Porter, County Attorney  Joel Jackson	Barton
1:30 p.m.			
61,749	State of Kansas, Appellant, v. Larry Z. Smith, Appellee.	Robert T. Stephan, Attorney General Leonard J. Dix, County Attorney  Edward Bouker	Rooks  Consolidated
61,750	State of Kansas, Appellant, v. Leiana J. Smith, Appellee.	Robert T. Stephan, Attorney General Leonard J. Dix, County Attorney  Edward Bouker	Rooks

Friday, September 16, 1988  
9:30 a.m.

Case No.	Case Name	Attorneys	County
60,313	State of Kansas, Appellee, v. Ramiro A. Garcia, a/k/a "TIO" or Ramon Garcia, Appellant.	Robert T. Stephan, Attorney General John A. Sparks, County Attorney  Benjamin C. Wood	Pottawatomie
61,998	In the Matter of HARTZELL J. WHYTE, Respondent.	Bruce E. Miller Stanton Hazlett  Hartzell J. Whyte, <i>Pro Se</i>	Original
62,399	In the Matter of FREDERICK M. JANTZ, Respondent.	Bruce E. Miller Stanton A. Hazlett  Frederick M. Jantz, <i>Pro Se</i> Richard O. Skoog	Original
61,999	In the Matter of WILLIAM L. WINKLEY, Respondent.	Bruce E. Miller Stanton Hazlett  William L. Winkley, <i>Pro Se</i>	Original

LEWIS C. CARTER  
Clerk of the Appellate Courts

Doc. No. 006947

State of Kansas  
**STATE CORPORATION COMMISSION**

**NOTICE OF MOTOR  
 CARRIER HEARINGS**

Applications set for hearing are to be heard at 9:30 a.m. on the date indicated before the State Corporation Commission, Docking State Office Building, fourth floor, Topeka, unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, Docking State Office Building, Topeka 66612, (913) 296-3808 or 296-3364.

Your attention is invited to Kansas Administrative Regulations (K.A.R.) 82-1-228, "Rules of Practice and Procedure Before the Commission."

**Applications set for September 13, 1988**

**Renotice of Application to Transfer Certificate  
 of Convenience and Necessity:**

James Francis Schierlman, ) Docket No. 60,720 M  
 dba J. F. Schierlman )  
 Rt. 1, Box 56 )  
 Cherryvale, KS 67335 ) MC ID No. 100176

To: William J. Schierlman, dba  
 Schierlman Trucking  
 Rt. 1, Box 51  
 Mound Valley, Kansas 67354

Applicant's Attorney: None

*Livestock and unprocessed grain,*

Between all points and places in Greenwood, Woodson, Allen, Bourbon, Elk, Wilson, Neosho, Crawford, Chautauqua, Montgomery, Labette and Cherokee Counties in Kansas.

Between all points and places within the above named counties, on the one hand, and all points and places in the state of Kansas, on the other.

\*\*\*\*\*

**Application for Abandonment of Certificate of  
 Convenience and Necessity:**

Bernard Gauling, dba ) Docket No. 82,972 M  
 Gauling Oil Co. )  
 108 S. Fry )  
 Yates Center, KS 66783 ) MC ID No. 100886

Applicant's Attorney: None

\*\*\*\*\*

**Application for Certificate of Convenience  
 and Necessity:**

Joyce A. Williams, dba ) Docket No. 161,676 M  
 Williams Delivery )  
 714 W. 25th St. So. )  
 Wichita, KS 67217 ) MC ID No. 131211

Applicant's Attorney: None

*Small repair parts for air conditioning, car windows, saw blades, small auto and truck parts, computers and printers,*

Points and places in Sedgwick and Reno Counties  
 Kansas.

\*\*\*\*\*

**Application set for September 20, 1988—  
 Topeka, Kansas**

**Application for Certificate of  
 Convenience and Necessity:**

Kelley Automotive, Inc. ) Docket No. 161,675 M  
 Box 1151 )  
 McPherson, KS 67460 ) MC ID No. 129126

Applicant's Attorney: William B. Barker, Hamilton,  
 Gregg, Barker & Johnson, Attorneys at Law, 3401 Har-  
 rison Street, Topeka, Kansas 66611

*Machinery, metal articles, transportation equipment, and  
 materials and supplies used in the manufacture and dis-  
 tribution of such commodities,*

Between points in Ottawa, Clay, Riley, Ellsworth, Sa-  
 line, Dickinson, Geary, Rice, McPherson, Marion, Chase,  
 Morris, Reno, Harvey, Sedgwick, and Butler Counties,  
 Kansas, on the one hand, and on the other, all points  
 and places in Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience  
 and Necessity:**

Donald R. Hodges, dba ) Docket No. 161,677 M  
 Lyons Paint & Body )  
 214 E. Commercial )  
 Lyons, KS 67554 ) MC ID No. 132064

Applicant's Attorney: None

*Wrecked and disabled vehicles,*

All points and places in Kansas.

\*\*\*\*\*

**Application for Extension of Certificate of  
 Convenience and Necessity:**

Tischhauser Trucking, Inc. ) Docket No. 131,848 M  
 R.R. 1, Box 19 )  
 Delavan, KS 66847 ) MC ID No. 103096

Applicant's Attorney: Brad T. Murphree, Blair & Mur-  
 phree, P.A., 400 N. Woodlawn, Suite #1, Wichita,  
 Kansas 67208

*General commodities (except classes A and B explosives  
 and household goods),*

All points and places in the state of Kansas.

\*\*\*\*\*

**Application for Certificate of Convenience  
 and Necessity:**

John D. Stroud and ) Docket No. 162,620 M  
 Fred C. Stuhlsatz )  
 dba G P Towing )  
 Rt. 1, P.O. Box 90C )  
 Garden Plain, KS 67050 ) MC ID No. 132065

Applicant's Attorney: None

*Motor vehicles and motor vehicle parts,*  
Between all points and places in Kansas.

\*\*\*\*\*

Application set for September 27, 1988—  
Topeka, Kansas

Application for Certificate of Convenience  
and Necessity:

Jim Palmer Trucking, Inc. ) Docket No. 161,678 M  
9730 Derby Driver )  
Missoula, MT 59802 ) MC ID No. 104017

Applicant's Attorney: Clyde N. Christey

*General commodities (except household goods and Classes  
A and B explosives and commodities in bulk)*

Between all points and places in the state of Kansas.

\*\*\*\*\*

Application for Certificate of Convenience  
and Necessity:

Pacific Motor Transport ) Docket No. 162,617 M  
Company )  
215 Dalton ) MC ID No. 119516  
DeSoto, TX 75115

Applicant's Attorney: Clyde N. Christey

*Building and construction materials, fencing materials  
and articles used in the manufacturing thereof (except  
commodities in bulk),*

Between points and places in Phillips, Leavenworth,  
Wyandotte, Johnson, Sedgwick, Saline and McPherson  
counties, Kansas.

Also,

Between points and places in the above-described coun-  
ties on the one hand and points and places in the state  
of Kansas on the other hand.

\*\*\*\*\*

Application for Certificate of Convenience  
and Necessity:

Trans AM Trucking, Inc. ) Docket No. 162,168 M  
8300 Underground Drive )  
Kansas City, MO 64112 ) MC ID No. 128934

Applicant's Attorney: Clyde Christey

*General commodities (except household goods and Classes  
A and B explosives and commodities in bulk),*

Between points and places in the state of Kansas.

\*\*\*\*\*

Application for Certificate of Convenience  
and Necessity:

W. W. Transport, Inc. ) Docket No. 161,679 M  
P.O. Box 97 )  
Advance, MO 63730 ) MC ID No. 128469

Applicant's Attorney: Clyde N. Christey

*General commodities (except household goods, Classes A  
and B explosives and commodities in bulk) in truck load  
lots,*

Between points and places in Saline, Ellis, Sedgwick,  
McPherson, Reno, Johnson, Wyandotte and Leavenworth  
counties.

Also,

Between points and places in the above-described coun-  
ties on the one hand and points and places in the state  
of Kansas, on the other hand.

\*\*\*\*\*

Application set for October 4, 1988—  
Topeka, Kansas

Application for Transfer of Certificate of  
Convenience and Necessity:

Concrete Supply of Topeka, ) Docket No. 162,615 M  
Inc. )  
P.O. Box 4449 ) MC ID No. 120951  
Topeka, KS 66604

TO: Jost Materials, Inc.

P.O. Box 4095

Topeka, KS 66604

Applicant's Attorney: Clyde N. Christey

*Cement and Fly Ash,*

Between points and places in Kansas east of Kansas  
Highway No. 99.

Also,

Between the above-described territory, on the one  
hand, and points and places in the state of Kansas, on  
the other hand.

\*\*\*\*\*

Application for Certificate of Convenience  
and Necessity:

MSS Transport, Inc. ) Docket No. 162,613 M  
230 E. Avenue A )  
Salina, KS 67402-1066 ) MC ID No. 124697

Applicant's Attorney: Clyde N. Christey

*Building and construction materials, iron and steel arti-  
cles, heavy and cumbersome commodities and machinery,*

Between points and places in the state of Kansas.

\*\*\*\*\*

Application for Extension of Certificate of  
Convenience and Necessity:

Magill Truck Line, Inc. ) Docket No. 162,614 M  
211 W. 53rd Street North )  
Wichita, KS 67204 ) MC ID NO. 100031

Applicant's Attorney: Clyde N. Christey

*Oilfield materials, equipment, supplies and machinery;  
bridge and road contractors materials and equipment;  
materials, supplies and electric lines and installations;  
heavy and cumbersome commodities; building and con-  
struction materials; fencing materials; iron and steel arti-  
cles; grain; hay; dry feed ingredients; fertilizer (except  
anhydrous ammonia); seeds; machinery and salt,*

Between all points and places in Kansas.

*General commodities (except household goods and classes  
(continued)*

*A and B explosives; liquid petroleum products and bulk commodities requiring pressurization during transportation),*

Between all points and places in Barton, Stafford, Pratt, Barber, Harper, Kingman, Reno, Rice, Ellsworth, Saline, McPherson, Harvey, Sedgwick, Sumner, Cowley, Butler, Marion, Dickinson, Geary, Morris, Chase, Lyon, Greenwood, Elk, Chautauqua, Wyandotte, Johnson, Shawnee and Leavenworth counties.

Also,

Between the above-named counties on the one hand and points and places in the state of Kansas on the other hand.

*Meat; meat products; meat by-products and articles distributed by packing houses and materials and supplies utilized by packing houses,*

Between points and places in Finney, Ford, Harper, Cowley, Sumner, Sedgwick, Jewell and Barton Counties.

Also,

Between the above-named counties on the one hand and points and places in the state of Kansas on the other hand.

*Livestock,*

Between points and places in Chautauqua, Elk, Greenwood, Lyon, Morris, Chase, Dickinson, Marion, Butler, Cowley, Sumner, Sedgwick, Harvey, McPherson, Saline, Ellsworth, Rice, Reno, Kingman, Harper, Barber, Pratt, Stafford and Barton counties.

Also,

Between the above-named counties on the one hand and points and places in the state of Kansas on the other hand.

\*\*\*\*\*

**Application for Extension of Certificate of Convenience and Necessity:**

Jost Materials, Inc. ) Docket No. 162,619 M  
P.O. Box 4095 )  
Topeka, KS 66604 ) MC ID No. 129686

Applicant's Attorney: Clyde N. Christey

*Cement, fly ash and lime,*

Between points and places on and east of U.S. Highway No. 183 and Finney County.

Also,

Between the above-described area on the one hand and points and places in the state of Kansas on the other hand.

ALFONZO A. MAXWELL  
Administrator  
Transportation Division

Doc. No. 006968

**State of Kansas**

**DEPARTMENT OF ADMINISTRATION  
DIVISION OF PURCHASES**

**NOTICE TO BIDDERS**

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

**Monday, September 12, 1988**

#A-5942

Adjutant General's Department—REROOF OF NATIONAL GUARD ARMORY, Leavenworth

#A-5943

Adjutant General's Department—REROOF OF NATIONAL GUARD ARMORY, Belleville

#A-5945

Adjutant General's Department—REROOF OF NATIONAL GUARD ARMORY, Chanute

#27280—Supplement

University of Kansas Medical Center—SPECIAL ANTI-SERA AND EIA KITS

#27289

Pittsburg State University—ELECTRIC TYPE-WRITER MAINTENANCE

#27363

Statewide—DIETARY PHARMACEUTICALS

#27379

Department of Health and Environment—EIA KITS (HIV AND HEPATITIS)

#27866

Kansas State University—LABORATORY SERVICES/CLINICAL AND PATHOLOGY

#75855

Ellsworth Correctional Work Facility—BAKERY PRODUCTS

#75870

Kansas Soldiers Home—BUILDING MATERIALS

#75872

Department of Administration, Division of Printing—VACUUM SYSTEM

#75873

Office of Attorney General—MICROCOMPUTER, SOFTWARE AND PRINTER

#75897

Department of Corrections—FIREARMS, Ellsworth

#75933

Kansas State Industrial Reformatory—FILM

**Tuesday, September 13, 1988**

#27474

University of Kansas Medical Center—OCTOBER (1988) MEAT PRODUCTS

#27666

Department of Transportation—BITUMINOUS PLANT MIX (I-35 REPAIRS)

#75896

Emporia State University—FURNISH AND INSTALL BOILER CONTROLS

#75898

University of Kansas—LUMBER, PLYWOOD AND PEGBOARD

#75899

Kansas Bureau of Investigation—GC/MASS SPEC/ SYSTEMS, various locations

#75911

Department of Transportation—PLANT MIX

#75912

Department of Transportation—AGGREGATE, Mitchell County

#75913

Department of Transportation—AGGREGATE, Johnson County

#75914

Department of Transportation—AGGREGATE, various locations

#75915

Department of Transportation—BLADES, Hutchinson

#75932

Kansas State University—GRAIN

#75961

University of Kansas Medical Center—STERILIZER OVERHAUL/REPAIR

#75962

University of Kansas Medical Center—PULSE OXIMETER SYSTEM

Wednesday, September 14, 1988

#27557

Kansas State University—OCTOBER (1988) MEAT PRODUCTS

#75925

University of Kansas Medical Center—LAB STERILIZER

#75926

Kansas State University and Rainbow Mental Health—VEHICLES

#75927

Department of Transportation—SPREADERS, various locations

Thursday, September 15, 1988

#27864

Department of Human Resources—JANITORIAL SERVICES

#75949

Kansas Bureau of Investigation—GAS CHROMATO-GRAPHS/DATA STATION, various locations

#75950

Kansas State University—VALVES

#75951

Kansas Correctional Industries—STEEL

#75952

University of Kansas Medical Center—SCRUB SUITS

#75990

Various Agencies—USED VEHICLES AND DEPARTMENT OF TRANSPORTATION USED EQUIPMENT

Friday, September 16, 1988

#75960

Department of Transportation—PLANT MIX, Winfield

#75964

Kansas Bureau of Investigation—FTIR SPECTROMETER

#75965

Department of Transportation—ROCK, Kansas City

#75976

Department of Revenue—ENDORSER/IMPRINTER

#75977

Kansas Bureau of Investigation—FILE FOLDERS

#75981

Kansas State University—LABORATORY CABINETS

NICHOLAS B. ROACH  
Director of Purchases

Doc. No. 006969

(Published in the *Kansas Register*, September 1, 1988.)**NOTICE OF BOND SALE****\$800,000**

**Morris County, Kansas  
General Obligation Bonds  
Series 1988-A  
(Morris County Hospital)**

**Sealed Bids**

Sealed bids for the purchase of \$800,000 principal amount of general obligation bonds, Series 1988-A, Morris County Hospital, the bonds, of the county hereinafter described, will be received by the undersigned, county clerk of the city of Morris County, Kansas, the county, on behalf of the governing body of the county at the office of the Morris County Clerk, Morris County Courthouse, 501 W. Main, Council Grove, Kansas 66846, until 10 a.m., C.D.T. on September 13, 1988. All bids will be publicly opened and read at said time and place and will be acted upon by the county immediately thereafter. No oral or auction bids will be considered.

**Bond Details**

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 15, 1988, and will become due serially on September 1 and March 1 in the years as follows:

Principal Amount	Year
\$ 0	March 1, 1990
0	September 1, 1990
0	March 1, 1991
5,000	September 1, 1991
5,000	March 1, 1992
5,000	September 1, 1992
5,000	March 1, 1993
5,000	September 1, 1993
5,000	March 1, 1994
5,000	September 1, 1994
30,000	March 1, 1995
30,000	September 1, 1995
60,000	March 1, 1996
60,000	September 1, 1996
65,000	March 1, 1997
65,000	September 1, 1997
65,000	March 1, 1998
75,000	September 1, 1998
75,000	March 1, 1999
75,000	September 1, 1999
80,000	March 1, 2000
85,000	September 1, 2000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1990.

**Redemption of Bonds Prior to Maturity**

At the option of the county, the bonds maturing on March 1, 1996 and thereafter will be subject to redemption and payment prior to maturity on September 1, 1995 and thereafter in whole or in part or any interest payment date, at par.

**Place of Payment and Bond Registration**

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the treasurer of the state of Kansas, Topeka, Kansas, the paying agent and bond registrar. The

principal of the bonds will be payable at maturity or upon earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding each interest payment date.

The county will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

**Conditions of Bids**

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of  $\frac{1}{8}$  or  $\frac{1}{50}$  of 1 percent. No interest rate shall exceed the index of treasury bonds published by the weekly *Credit Markets* in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the city during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the county on the basis of such bid. Each bid shall also specify the average annual net interest rate to the county on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public, the initial reoffering prices.

**Basis of Award**

The award of the bonds will be made on the basis of the lowest net interest cost to the county, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the county. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the county shall determine which bid, if any, shall be accepted, and its determination shall be final.

**Authorization, Purpose and Security for the Bonds**

The bonds are being authorized and issued to permanently finance improvements to the Morris County Hospital. The bonds will be general obligations of the county payable as to both principal and interest from ad valorem taxes which may be levied without limitation upon all the



taxable tangible property, real and personal, within the territorial limits of the county. The county intends to issue within the next 90 days from the sale of this bond issue an additional \$400,000 in general obligation bonds of the county for the purpose of making additional improvements to the Morris County Hospital.

#### Tax Exemption

The Internal Revenue Code of 1986, the code, imposes requirements on the county which must be met subsequent to the issuance of the bonds by the county and, as a result, the county will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The county's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the county's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted net book income of certain corporations for taxable years beginning after December 31, 1986, and includes, through 1989, in the calculation of alternative minimum taxable income one-half of the excess of a corporation's adjusted net book income over its alternative minimum taxable income (determined without regard to this adjustment and prior to reduction for certain net operating losses). After 1989, the use of "book income" will be replaced by "adjusted current earnings," with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax, which is effective for taxable years beginning after December 31, 1986, may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies, for taxable years beginning on or after January 1, 1987, to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on obligations acquired after August 7, 1986.

With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds if such interest cost is incurred in taxable years ending after December 31, 1986, with respect to obligations acquired after August 7, 1986. The county does not intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Interest on the bonds will be excluded from computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987.

#### Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the county, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the county with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. Interest on the bonds will also be excluded from the computation of Kansas adjusted income.

#### Delivery and Payment

The county will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered on or prior to October 4, 1988, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere will be at the expense of the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in federal reserve funds, immediately subject to use by the county. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the county and bond registrar not later than 5 p.m. C.D.T. September 28, 1988. In the absence of such information, the county will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by 5 p.m. C.D.T. on September 30, 1988, a certificate acceptable to the county's bond counsel to the effect that: (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices; and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and belief of the successful bidder; and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

#### Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$16,000 payable to the order of the county to secure the county from any loss resulting from the failure of the bidder to comply with the terms of its bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted,

(continued)

said check shall be held by the county until the bidder shall have complied with all of the terms and conditions of this notice at which time said check shall be returned to the successful bidder or deducted from the purchase price at the option of the county. If a bid is accepted but the county shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be retained by the county as and for liquidated damages.

#### CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the county.

#### Bid Forms

All bids must be made on forms which may be procured from the county clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The county reserves the right to waive irregularities and to reject any or all bids.

#### Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned county clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at the Morris County Courthouse, 501 W. Main, Council Grove, Kansas, and must be received by the undersigned prior to 10 a.m. C.D.T. on September 13, 1988.

#### Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the county for the year 1987 is \$31,797,327. The total general obligation bonded indebtedness of the county as of the date of the bonds, including the bonds, is \$800,000.

Dated August 23, 1988.

MORRIS COUNTY, KANSAS  
Michelle Yadon, County Clerk  
Morris County Courthouse  
501 W. Main  
Council Grove, Kansas 66846  
(316/767-5518)

Doc. No. 006957

(Published in the *Kansas Register*, September 1, 1988.)

**NOTICE OF BOND SALE**  
**\$379,639.66**  
**City of Ulysses, Kansas**  
**General Obligation Bonds**  
**Series 1988**

#### Sealed Bids

Sealed bids for the purchase of \$379,639.66 principal amount of general obligation bonds, Series 1988, the

bonds, of the city hereinafter described, will be received by the undersigned, city clerk of the city of Ulysses, Kansas, the city, on behalf of the governing body of the city at City Hall, 115 W. Grant, Ulysses, Kansas, until 5 p.m., C.D.T. on Wednesday, September 7, 1988. All bids will be publicly opened and read at said time and place and will be acted upon by the city immediately thereafter. No oral or auction bids will be considered.

#### Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$4,639.66. The bonds will be dated September 1, 1988, and will become due serially on September 1 in the years as follows:

Year	Principal Amount
1989	\$29,639.66
1990	30,000.00
1991	40,000.00
1992	40,000.00
1993	40,000.00
1994	40,000.00
1995	40,000.00
1996	40,000.00
1997	40,000.00
1998	40,000.00

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1989.

#### Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the treasurer of the state of Kansas, Topeka, Kansas, the paying agent and bond registrar. The principal of the bonds will be payable at maturity or upon earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding each interest payment date.

The city will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

#### Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing on March 1, 1994, and thereafter, will be subject to redemption and payment prior to maturity on March 1, 1993, and thereafter in whole or in part on any interest payment date, bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate, at the principal amount thereof, plus accrued interest to the redemption date, without premium.

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the city shall elect to call any bond for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to redeem and pay said bond on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bond, to the paying agent and bond registrar, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

#### Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of  $\frac{1}{8}$  or  $\frac{1}{20}$  of 1 percent. No interest rate shall exceed the index of treasury bonds published by the weekly *Credit Markets* in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the city during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid. Each bid shall also specify the average annual net interest rate to the city on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public, the initial reoffering prices.

#### Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the city, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the city shall determine which bid, if any, shall be accepted, and its determination shall be final.

#### Authorization, Purpose and Security for the Bonds

The bonds are being authorized and issued to permanently finance various internal improvements to the city. The bonds will be general obligations of the city payable as to both principal and interest in part from special assessments levied upon specially benefited property and, if not so paid, from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the city. The balance of the principal of and interest on the bonds is payable from ad valorem taxes which may be levied without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the city.

#### Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the city which must be met subsequent to the issuance of the bonds by the city and, as a result, the city will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The city's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the city's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted net book income of certain corporations for taxable years beginning after December 31, 1986, and includes, through 1989, in the calculation of alternative minimum taxable income one-half of the excess of a corporation's adjusted net book income over its alternative minimum taxable income (determined without regard to this adjustment and prior to reduction for certain net operating losses). After 1989, the use of "book income" will be replaced by "adjusted current earnings," with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax, which is effective for taxable years beginning after December 31, 1986, may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies, for taxable years beginning on or after January 1, 1987, to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on obligations acquired after August 7, 1986.

With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as

(continued)

the bonds if such interest cost is incurred in taxable years ending after December 31, 1986, with respect to obligations acquired after August 7, 1986. The city does not intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

#### Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the city with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. Interest on the bonds will also be excludable from the computation of Kansas adjusted gross income for taxable years commencing after December 31, 1987.

#### Delivery and Payment

The city will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered on or prior to September 15, 1988, at such bank or trust company in the state of Kansas or greater metropolitan area of Kansas City, Missouri, as may be specified by the successful bidder. Delivery of the bonds elsewhere will be paid for by the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in federal reserve funds, immediately subject to use by the city. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the city and bond registrar not later than 4 p.m. C.D.T. on September 12, 1988. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by 4 p.m. C.D.T. on September 12, 1988, a certificate acceptable to the city's bond counsel to the effect that: (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices; and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and belief of the successful bidder; and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices, such amount being sufficient to establish the sale of a "substantial amount" of the bonds.

#### Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of

America in the amount of \$7,592.79, payable to the order of the city to secure the city from any loss resulting from the failure of the bidder to comply with the terms of its bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the city until the bidder shall have complied with all of the terms and conditions of this notice at which time said check shall be returned to the successful bidder or deducted from the purchase price at the option of the city. If a bid is accepted but the city shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the city without precluding the city from seeking any other consequential damages arising from such default.

#### CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the city.

#### Bid Forms

All bids must be made on forms which may be procured from the city clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The city reserves the right to waive irregularities and to reject any or all bids.

#### Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at City Hall and must be received by the undersigned prior to 5 p.m. C.D.T. on Wednesday, September 7, 1988.

#### Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1988 is \$12,793,410. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$1,519,639.66. As of the date of the bonds, temporary notes outstanding in the principal amount of \$375,000 will be retired out of the proceeds of the bonds herein offered for sale.

Dated August 26, 1988.

CITY OF ULYSSES, KANSAS  
Paula Shapland, City Clerk  
City Hall, 115 West Grant  
Ulysses, Kansas 67880  
(316/356-4600)

Doc. No. 006956

(Published in the Kansas Register, September 1, 1988.)

**NOTICE OF REDEMPTION  
to the holders of  
the City of Hutchinson, Kansas  
Industrial Revenue Bonds  
Series A, 1975  
(Interpace Corporation)**

Notice is hereby given that pursuant to the provisions of Section 3(b) of Ordinance No. 6428 of the city, duly adopted March 4, 1975, those of the above-mentioned bonds maturing February 1, 1990, and thereafter, as described herein, and all unmatured coupons appertaining thereto, have been called for redemption and payment on February 1, 1989, at the office of Hutchinson National Bank and Trust Company, Hutchinson, Kansas (the paying agent).

Bond Nos.	Maturity Date	Principal Amount	Interest Rate
127-142	February 1, 1990	\$ 80,000	8.00%
143-160	February 1, 1991	90,000	8.00%
161-179	February 1, 1992	95,000	8.25%
180-200	February 1, 1993	105,000	8.25%

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond, the redemption price thereof equal to 102 percent of the principal amount of each bond together with interest accrued to the redemption date, upon the presentation and surrender of appropriate coupons appertaining thereto. Interest shall cease to accrue on the bonds and all unmatured coupons appertaining thereto so called for redemption from and after February 1, 1989, in that sufficient funds for redemption are on deposit with the paying agent.

THE CITY OF HUTCHINSON, KANSAS  
By Hutchinson National Bank and  
Trust Company  
Hutchinson, Kansas  
Paying Agent

Doc. No. 006955

(Published in the Kansas Register, September 1, 1988.)

**NOTICE OF REDEMPTION  
Shawnee County, Kansas  
Single Family  
Mortgage Revenue Bonds  
1980 Series A**

Notice is hereby given that \$1,400,000 principal amount of bonds, as listed below, are called for redemption on October 1, 1988, at the price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The serial numbers of the Serial and Term bonds to be redeemed are as follows:

**Serial Bonds**

- April 1, 1989: 544, 562  
CUSIP 820624 AH 7
- April 1, 1990: 678, 734  
CUSIP 820624 AJ 3
- April 1, 1991: 855, 866  
CUSIP 820624 AK 0
- April 1, 1992: 1020, 1035  
CUSIP 820624 AL 8

- April 1, 1993: 1183, 1214  
CUSIP 820624 AM 6
- April 1, 1994: 1326, 1377  
CUSIP 820624 AN 4
- April 1, 1995: 1534, 1553  
CUSIP 820624 AP 9

**Term Bonds**

**CUSIP 820624 AR 5**

- April 1, 2011: 2230, 2397, 2406, 2415, 2433, 2461, 2466, 2472, 2479, 2482, 2491, 2526, 2563, 2596, 2607, 2667, 2670, 2677, 2681, 2682, 2706, 2715, 2718, 2731, 2758, 2769, 2817, 2824, 2834, 2838, 2852, 2856, 2860, 2865, 2866, 2869, 2871, 2877, 2878, 2884, 2886, 2892, 2893, 2896, 2906, 2914, 2915, 2920, 2925, 2932, 2934, 2942, 2943, 2949, 2951, 2958, 2960, 2970, 2974, 2977, 2983, 2992, 3001, 3005, 3021, 3032, 3036, 3045, 3051, 3087, 3109, 3111, 3114, 3118, 3123, 3127, 3131, 3132, 3136, 3145, 3156, 3171, 3175, 3180, 3181, 3201, 3202, 3244, 3311, 3328, 3330, 3336, 3356, 3442, 3444, 3445, 3450, 3454, 3459, 3460, 3496, 3527, 3576, 3696, 3702, 3703, 3717, 3723, 3725, 3729, 3734, 3735, 3742, 3747, 3748, 3765, 3777, 3810, 3816, 3829, 3877, 3885, 3894, 3906, 3918, 3960, 3981, 3986, 4027, 4092, 4110, 4128, 4134, 4218, 4227, 4245, 4272, 4308, 4324, 4329, 4342, 4443, 4449, 4491, 4531, 4602, 4666, 4698, 4719, 4738, 4747, 4758, 4774, 4821, 4860, 4872, 4974, 4977, 4985, 4986, 5052, 5148, 5161, 5166, 5208, 5260, 5262, 5538, 5542, 5551, 5571, 5583, 5598, 5643, 5646, 5670, 5685, 5739, 5742, 5750, 5759, 5786, 5800, 5802, 5823, 5838, 5862, 5877, 5976, 5991, 6025, 6047, 6115, 6141, 6150, 6160, 6201, 6259, 6273, 6290, 6303, 6334, 6361, 6390, 6402, 6429, 6456, 6479, 6511, 6543, 6577, 6588, 6592, 6594, 6667, 6672, 6873, 6874, 6892, 6966, 6993, 7125, 7135, 7181, 7206, 7221, 7278, 7308, 7392, 7419, 7433, 7487, 7503, 7548, 7578, 7620, 7627, 7716, 7738, 7761, 7812, 7887, 7951, 7982, 7986, 7992, 8067, 8088, 8131, 8163, 8167, 8187, 8302, 8342, 8343, 8356, 8382, 8388, 8536, 8541, 8545, 8607, 8610, 8679, 8682, 8691

Registered bonds also being called are listed below. The bearer bond numbers for the registered bonds being called are included above.

- April 1, 1992: R-167
- April 1, 2011: R-17, R-35, R-140, R-160, R-175, R-180, R-199, R-231, R-237, R-243, R-254, R-256, R-258, R-259, R-266, R-273, R-275

On October 1, 1988, all bonds designated for redemption will become due and payable upon presentation thereof at the addresses given below.

On and after October 1, 1988, interest on the principal amount called for redemption shall cease to accrue.

The bonds, along with IRS form W-9 (verification of taxpayer ID number), may be presented for payment in person or by mail at the following addresses: The Merchants National Bank of Topeka, ATTN: Corporate Trust, P.O. Box 178, Topeka, Kansas 66601, or Morgan Guaranty Trust Company of New York, 30 N. Broadway, 12th Floor, Coupon Paying Section, New York, NY 10015.

SHAWNEE COUNTY, KANSAS  
By: The Merchants National Bank  
of Topeka, Trustee

Doc. No. 006974

(Published in the Kansas Register, September 1, 1988.)

**NOTICE OF REDEMPTION**  
**Sedgwick County, Kansas**  
**Single Family Mortgage Revenue Bonds**  
**(Multiple Originators and Services)**  
**1980 Series A**  
**Due April 1, 1989 and April 1, 2011**

Notice is hereby given that, pursuant to Section 3.01 of the Indenture dated as of April 1, 1980, \$3,515,000 principal of bonds has been drawn pro-rata between maturities and by lot within each maturity, for redemption at par on October 1, 1988.

Coupon bonds of \$5,000 denominations, called in full, bearing CUSIP No. 815618 and Suffix:

AH6	4743	6641	8021	9146
715	4757	6702	8033	9189
AQ6	4758	6760	8035	9200
2474	4806	6828	8045	9205
2497	4824	6839	8055	9207
2508	4837	6882	8056	9224
2520	4919	6903	8059	9226
2567	4933	6935	8063	9227
2592	4957	6953	8083	9230
2597	5019	6963	8120	9235
2600	5087	6979	8122	9258
2607	5093	6981	8171	9274
2609	5094	7106	8256	9298
3033	5114	7107	8257	9299
3039	5134	7121	8275	9319
3044	5164	7128	8290	9325
3292	5168	7130	8296	9338
3295	5203	7134	8317	9350
3298	5206	7150	8325	9374
3304	5212	7164	8352	9378
3314	5217	7168	8353	9406
3448	5358	7183	8401	9407
3451	5548	7185	8402	9429
3474	5572	7191	8408	9474
3475	5574	7206	8422	9529
3500	5580	7208	8423	9530
3803	5582	7222	8429	9585
3805	5622	7231	8443	9611
3809	5623	7242	8446	9615
3816	5629	7249	8450	9651
3835	5633	7257	8474	9674
3845	5658	7269	8499	9675
3865	5664	7280	8501	9715
3867	5686	7288	8504	9735
3910	5690	7319	8515	9761
3914	5747	7329	8530	9762
3929	5751	7341	8542	9787
3949	5868	7368	8543	9886
3966	5875	7371	8545	9903
4141	5877	7373	8561	9905
4143	5918	7375	8565	9907
4157	5919	7389	8570	9911
4158	5930	7393	8572	9913
4174	5945	7401	8590	9919
4175	5951	7416	8593	9956
4235	5952	7424	8599	9990
4250	5997	7432	8606	9992
4264	5999	7464	8649	9996
4267	6039	7487	8671	10067
4269	6051	7488	8674	10070
4283	6053	7512	8687	10097
4288	6069	7514	8688	10105
4294	6132	7534	8696	10155
4325	6175	7536	8702	10156
4334	6207	7567	8704	10212
4346	6273	7575	8709	10229
4350	6277	7584	8713	10234

4392	6293	7609	8714	10241
4416	6295	7642	8728	10257
4419	6309	7651	8805	10264
4427	6316	7654	8817	10276
4446	6325	7655	8825	10286
4448	6340	7659	8862	10287
4455	6353	7665	8865	10295
4543	6385	7736	8880	10296
4544	6389	7747	8883	10298
4551	6392	7754	8896	10323
4560	6401	7758	8941	10333
4587	6412	7779	8987	10369
4592	6428	7792	9003	10375
4606	6459	7803	9005	10387
4607	6464	7823	9021	10421
4618	6499	7847	9030	10423
4621	6547	7854	9032	10432
4622	6549	7862	9039	10433
4639	6566	7874	9046	10440
4686	6567	7897	9058	10465
4690	6573	7902	9061	10478
4695	6601	7936	9070	10494
4699	6611	7938	9071	10505
4709	6620	7971	9097	10506
4712	6632	8017	9110	10529
4728	6638	8019	9115	

The serial numbers of the registered bonds, bearing CUSIP No. 815618, to be redeemed in whole or in part, and the principal amount to be redeemed are as follows:

Bond Number	Par Amount	Amount Called	Suffix
R18	\$ 5,000	\$ 5,000	AQ6
R174	40,000	10,000	AQ6
R178	390,000	80,000	AQ6
R204	5,000	5,000	AQ6
R205	10,000	5,000	AQ6
R210	5,000	5,000	AQ6
R211	5,000	5,000	AQ6
R214	5,000	5,000	AQ6
R217	10,000	5,000	AQ6
R226	1,755,000	1,270,000	AQ6
R228	45,000	15,000	AQ6
R231	35,000	10,000	AQ6
R278	5,000	5,000	AQ6
R280	10,000	5,000	AQ6
R282	5,000	5,000	AQ6
R283	30,000	20,000	AQ6

Coupon bonds with the October 1, 1988 and all subsequent coupons attached and all registered bonds should be presented to one of the offices of the paying agents:

Continental Illinois National Bank and Trust Company of Chicago

Attention: Corporate Trust Operations  
 30 North LaSalle Street—16th Floor  
 Chicago, Illinois 60697

Southwest National Bank of Wichita

Attention: Trust Department  
 P.O. Box 1401  
 Wichita, Kansas 67201

Morgan Guaranty Trust Company of New York

Attention: Corporate Trust Department  
 30 West Broadway—12th Floor  
 New York, New York 10015

Where a fully registered bond is redeemed in part, a new fully registered bond for the unredeemed portion will be issued and returned without charge. While registered bondholders have the option of presenting bonds



to any of the above-mentioned paying agents, there will be a delay in the issuance of bonds for any unredeemed portion unless such presentment is made to the principal paying agent in Chicago at the above given address.

Interest on the bonds or portions of bonds called for redemption will cease to accrue on October 1, 1988.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above described securities who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their securities for collection.

By: Continental Illinois National Bank  
and Trust Company of Chicago, *Trustee*  
for Sedgwick County, Kansas.

Doc. No. 006967

## State of Kansas

### CONSUMER CREDIT COMMISSIONER

#### PERMANENT ADMINISTRATIVE REGULATIONS

#### Article 6.—CONSUMER CREDIT CODE

**75-6-12.** (Authorized by K.S.A. 16a-6-104(e); effective, E-74-13, Jan. 1, 1974; effective May 1, 1975; revoked Oct. 18, 1988.)

**75-6-13.** (Authorized by K.S.A. 1973 Supp. 16a-6-104(e); effective, E-74-13, Jan. 1, 1974; effective May 1, 1975; revoked Oct. 18, 1988.)

**75-6-27.** (Authorized by K.S.A. 16a-6-104(e); implementing K.S.A. 16a-2-510(4); effective, T-83-16, July 1, 1982; effective May 1, 1983; revoked Oct. 18, 1988.)

**75-6-28.** (Authorized by K.S.A. 16a-6-104(e) and implementing K.S.A. 1985 Supp. 16a-2-401, as amended by 1986 HB No. 3018; effective, T-87-19, July 23, 1986; amended May 1, 1987; revoked Oct. 18, 1988.)

JUDITH BRAVENCE-STRINGER  
Consumer Credit Commissioner

Doc. No. 006960

## State of Kansas

### DEPARTMENT OF WILDLIFE AND PARKS

#### PERMANENT ADMINISTRATIVE REGULATIONS

#### Article 1.—GENERAL PROVISIONS

**33-1-9. Camping.** Camping in state parks shall be restricted to areas established for camping. Each camping unit shall be limited to a maximum stay of 14

consecutive days. Upon completing seven to 14 consecutive days in a state park, the camping unit shall not be readmitted to that park until at least five days have elapsed. Camping stays beyond 14 consecutive days may be allowed in under-utilized camping sites by the park manager. Written permission shall be required for the extended stay. No trailer or other camping conveyance or equipment shall be left unattended in excess of 12 hours. (Authorized by and implementing K.S.A. 1987 Supp. 74-4510; effective, Jan. 1, 1966; amended Jan. 1, 1971; amended Oct. 18, 1988.)

#### Article 2.—GAME ANIMALS

**23-2-14. Antelope and deer; season restrictions.** (a) Legal hunting equipment.

(1) Archery equipment permitted for the archery and firearm seasons shall be long bows, recurve bows or compound bows of at least 45 pounds pull up to or at full draw. Each arrow shall be equipped with a broadhead point. A crossbow shall not be considered a long bow, recurve bow or compound bow.

(2) Firearm equipment permitted for firearm seasons shall be:

(A) Centerfire rifles;

(B) Muzzleloading rifles that fire a bullet of .39 inch in diameter or larger and that can only be loaded through the front of the firing chamber with separate components;

(C) Shotguns, 20 gauge or larger, using only rifled slugs; and

(D) Centerfire handguns, using a cartridge case 1.280 inches or greater in length and a bullet greater than .23 inches in diameter.

(3) Firearm equipment permitted for muzzle-loader-only firearms seasons shall be single barrel, muzzleloading rifles, using iron or peep sights, that fire a bullet of .39 inch in diameter or larger and that can only be loaded through the front of the firing chamber with separate components.

(4) Fully automatic rifles and handguns shall be prohibited for taking of deer and antelope. Only soft point, hollow point or other expanding bullets shall be used in handguns or rifles.

(5) Decoys, except live decoys, non-electronic calls and lures, shall be legal.

(b) Carcass tag. Each permittee shall possess an appropriate carcass tag while hunting antelope or deer. Removal of the carcass tag from the permit shall invalidate the permit for hunting. Each permittee shall date the tag and attach the tag to the carcass immediately following the kill and before moving the carcass from the site of the kill. Any legally acquired antelope or deer meat may be given to and possessed by another, if a written notice that includes the donor's name, address and permit number accompanies the meat.

(c) Informational cards. Each permittee receiving an informational card shall report the results of the hunt within 48 hours after the close of the season.

(d) Each archery deer permittee shall not have a

(continued)

firearm in possession while hunting deer. Each archery antelope permittee shall not have a firearm in possession while hunting antelope.

(e) Each muzzleloader deer permittee shall not have a rimfire or centerfire firearm in possession while hunting deer. Each muzzleloader antelope permittee shall not have a rimfire or centerfire firearm in possession while hunting antelope.

(f) Each permit, once issued, shall not be transferable and a refund shall not be granted. A refund may be granted if the permittee dies prior to the opening date of the season.

(g) In addition to other penalties prescribed by law, any permit application may be rejected by the department of wildlife and parks when the application contains a false representation or misrepresentation. Each permit obtained by a person through false representation, misrepresentation, or in excess of the number of permits authorized by rules and regulations shall be invalid from the date of issuance.

(h) (1) Each applicant shall not submit more than one application for an antelope permit or apply for an archery antelope and a firearm antelope permit in the same calendar year.

(2) Any applicant unsuccessful in obtaining a permit in a drawing for limited permits may apply for any permits remaining after the drawing or any permits available on an unlimited basis.

(i) The following restrictions shall apply unless otherwise authorized in subsections (j) and (k).

(1) Each applicant shall not submit more than one application for a deer permit or apply for an archery deer and a firearm deer permit in the same calendar year.

(2) Any applicant unsuccessful in obtaining a permit in a drawing for limited permits may apply for any permits remaining after the drawing or any permits available on an unlimited basis. Each applicant shall not obtain more than one regular season deer permit in any calendar year.

(j) Any applicant having a current year regular deer season permit may apply for an additional firearms deer permit if permits are left over after the firearms deer season drawing under procedures and conditions authorized by the department.

(k) Any person having a current-year archery deer season permit may apply for a unit archery deer season permit under procedures and conditions authorized by the department.

(1) Each person who is not a landowner, tenant or a member of an immediate family who resides with a landowner or tenant as described in K.S.A. 32-179 shall not be eligible to apply for a landowner-tenant permit.

(m) Any landowner-tenant unsuccessful in a regular season drawing for a firearms deer hunting permit may apply during that year for a special permit to hunt deer on the landowner-tenant's own property in those units where such permits are authorized.

(n) (1) In awarding firearms deer permits, the first priority shall be those applicants who did not receive a firearms deer permit the previous year. Landowner-tenants receiving a special firearms permit to hunt

their own property or permittees receiving a firearms "antlerless only" permit during the previous regular firearms season shall be considered as not having a firearms deer permit during the previous year.

(2) The second priority shall be all other applicants.

(o) (1) In awarding firearms antelope permits, the first priority shall be those persons who have not obtained an antelope permit in any of the three previous years.

(2) The second priority shall be all other applicants. (Authorized by K.S.A. 32-215; implementing K.S.A. 32-178 and 32-179; effective May 1, 1981; amended May 1, 1983; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; effective, T-89-20, May 27, 1988; effective, T\_\_\_\_\_, \_\_\_\_\_; amended Oct. 18, 1988.)

### Article 3.—FISH, SPORT AND COMMERCIAL

**23-3-13. Taking of bait fish or minnows.** (a) Bait fish may be taken for noncommercial purposes by the following methods:

(1) A seine not longer than 15 feet and four feet deep with mesh not larger than  $\frac{1}{4}$  inch;

(2) a fish trap with mesh not larger than  $\frac{1}{4}$  inch and a throat not larger than one inch in diameter; or

(3) a dip or cast net with mesh no larger than  $\frac{3}{8}$  inch.

(b) Bait fish taken shall not exceed 12 inches in total length, except crappie shall not exceed five inches in length. Each person shall be restricted to a possession limit of 500 bait fish.

(c) Bait fishes may be taken statewide except by seining on state fishing lakes. This regulation shall take effect on and after January 1, 1989. (Authorized by K.S.A. 32-215; implementing K.S.A. 32-189; effective, T-83-3, Jan. 7, 1982; effective May 1, 1983; amended May 1, 1987; amended Oct. 18, 1988.)

### Article 5.—SURETY BOND PROGRAM

**23-5-1. Special surety bond program; definitions.**

(a) "Secretary" means the secretary of the Kansas department of wildlife and parks.

(b) "Appointing authority" means either the secretary or the county clerk of any county in Kansas.

(c) "License or permit" means any license, stamp or special permit issued by the department for sale to the general public.

(d) "Applicant" means any person, partnership or corporation who has presented the appointing authority with a completed application for appointment as a vendor agent for selling licenses and permits.

(e) "Special surety bond" means a bond agreement issued by a vendor agent and accepted by the secretary as having satisfied the bond requirements established in K.S.A. 1987 Supp. 19-328.

(f) "Premium period" means the period of time in which the vendor agent has paid the prescribed fee and in which the special surety bond shall be in effect.

(g) "Vendor agent" means any person, partnership or corporation authorized by the appointing authority



pursuant to K.S.A. 1987 Supp. 19-328 to sell licenses and permits issued by the department. (Authorized by and implementing K.S.A. 1987 Supp. 19-328; effective, T-88-19, July 1, 1987; effective, T-89-20, May 27, 1988; effective, T\_\_\_\_\_, \_\_\_\_\_; effective Oct. 18, 1988.)

**23-5-2. Special surety bond authorized.** Any vendor agent may elect to satisfy the special surety bond requirements provided in K.S.A. 1987 Supp. 19-328 by executing a special surety in favor of the state of Kansas as provided in K.A.R. 23-5-3. Each special surety bond shall be in a form approved by the secretary. (Authorized by and implementing K.S.A. 1987 Supp. 19-328; effective T-88-19, July 1, 1987; effective, T-89-20, May 27, 1988; effective, T\_\_\_\_\_, \_\_\_\_\_; effective Oct. 18, 1988.)

**23-5-3. Special surety bond procedure.** (a) Each special surety bond authorized by the secretary shall be issued for the period specified in the special surety bond and shall meet the following requirements:

(1) Each applicant shall complete an application form which shall include the following information:

- (A) The name, age, address and occupation of the applicant;
- (B) the amount of bond requested and the proposed effective date of bond;
- (C) the vendor agent number; and
- (D) the three credit references.

Each applicant shall certify the facts represented in the application. Any applicant may be required by the secretary to provide the department, at applicant's expense, with a current audited financial statement.

(2) Each applicant shall agree to be firmly bound to the state of Kansas and to fully indemnify the department for all loss to the state of Kansas of whatever nature arising out of the applicant's actions as a vendor agent.

(3) Each applicant shall authorize the applicant's officer or agent executing the prescribed application form and special surety bond to fully bind and represent the applicant in all activities to be undertaken as an authorized vendor agent, and shall provide evidence of this authority as may be required by the secretary.

(b) Each application shall be accompanied by a fee that shall be applied to the one-year bond premium period. The minimum fee shall be \$35 for a special surety bond in any amount less than \$5,000. For bonds in amounts of \$5,000 and above, the fee shall be \$35 plus \$4 per additional \$1,000 of coverage or any fraction thereof. The fee shall be returned to the applicant if the applicant is not authorized to act as a vendor agent. (Authorized by and implementing K.S.A. 1987 Supp. 19-328; effective, T-88-19, July 1, 1987; effective, T-89-20, May 27, 1988; effective, T\_\_\_\_\_, \_\_\_\_\_; effective Oct. 18, 1988.)

**23-5-4. Special surety bond term of effect and renewal.** Each special surety bond shall expire one year from the date of its issuance. The special surety bond period of coverage shall coincide exactly with the period for which a vendor agent is authorized to act as

a vendor agent. Any vendor agent may renew a special surety bond upon its expiration by providing the department with a renewal request containing the vendor agent name and number, the requested renewal date, and the requested bond amount, and by paying the fee prescribed in K.A.R. 23-5-3. (Authorized by and implementing K.S.A. 1987 Supp. 19-328; effective, T-88-19, July 1, 1987; effective, T-89-20, May 27, 1988; effective, T\_\_\_\_\_, \_\_\_\_\_; effective Oct. 18, 1988.)

**23-5-5. Effect of loss of special surety bond on vendor agent authority.** The expiration of a special surety bond shall automatically terminate the authority of the vendor agent to act as a vendor agent. (Authorized by and implementing K.S.A. 1987 Supp. 19-328; effective, T-88-19, July 1, 1987; effective, T-89-20, May 27, 1988; effective, T\_\_\_\_\_, \_\_\_\_\_; effective Oct. 18, 1988.)

**23-5-6. Authorized amount of special surety bond.** The amount for which an applicant shall be authorized to execute a special surety bond shall be determined by the secretary. (Authorized by and implementing K.S.A. 1987 Supp. 19-328; effective, T-88-19, July 1, 1987, effective, T-89-20, May 27, 1988; effective, T\_\_\_\_\_, \_\_\_\_\_; effective Oct. 18, 1988.)

**23-5-7. Reduction or increase in special surety bond.** Each special surety bond, once authorized and in effect, shall not be reduced within the premium period. Any special surety bond may be increased upon: (a) Supplying the secretary with information the secretary determines necessary to process the amendment application;

(b) paying the required premium for the increased amount, prorated to the bond premium period; and

(c) justifying the increase to the secretary. (Authorized by and implementing K.S.A. 1987 Supp. 19-328; effective, T-88-19, July 1, 1987; effective, T-89-20, May 27, 1988; effective, T\_\_\_\_\_, \_\_\_\_\_; effective Oct. 18, 1988.)

**23-5-8. Grounds for termination of a special surety bond.** A special surety bond may be terminated, suspended or refused for renewal by the secretary when a vendor agent commits any of the following acts: (a) Fails to pay, within 30 days of the appointing authority's demand, the cash value of all lost, missing, or destroyed licenses and permits;

(b) fails to pay, within 30 days of the appointing authority's demand, the cash value of all monies collected for the licenses and permits sold by the vendor agent;

(c) fails to return all licenses and permits in the vendor agent's possession when required by the terms of the vendor agent indemnification agreement or upon demand by the appointing authority;

(d) fails to properly perform any of the duties or violates any of the terms of the vendor agent indemnification agreement executed by the vendor agent and the appointing authority.

Any action by the secretary to terminate, suspend or fail to renew a special surety bond shall be adminis-

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tered pursuant to K.S.A. 77-501 et seq. (Authorized by and implementing K.S.A. 1987 Supp. 19-328; effective, T-88-19, July 1, 1987; effective T-89-20, May 27, 1988; effective T\_\_\_\_\_, \_\_\_\_\_; effective Oct. 18, 1988.)

#### Article 7.—FUR DEALERS

**23-7-7. Fur dealers; license, application, authority, possession of furs, records, and revocation.** (a) License. Any person may buy, purchase, or trade in furs, pelts, skins or carcasses of fur-bearing animals after purchasing a fur dealer's license.

(b) Application. An application for a fur dealer's license may be obtained from the Kansas department of wildlife and parks office at Pratt. Each application shall include the business location and an inventory of furs, pelts, skins and carcasses of fur-bearing animals on hand at the time of application. The application shall be submitted on forms provided by the department along with the prescribed fee.

(c) Authority. Licensed fur dealers shall deal with only properly licensed persons and only at a licensed fur dealer location.

(d) Possession of furs. Any licensed fur dealer may possess legally acquired furs, pelts, skins, or carcasses of fur-bearing animals for no more than 30 days after the expiration date of their license.

(e) Records.

(1) Each fur dealer shall supply information required in fur dealer record books provided by the department. Entries shall be made in the appropriate record book whenever receiving, shipping or otherwise disposing of furs, pelts, skins or carcasses of fur-bearing animals. Each fur dealer's record book, all receipts and all furs, pelts, skins and carcasses in possession of the licensed fur dealer shall be subject to inspection upon demand by any state wildlife conservation officer. The record book and receipts shall be subject to copying upon demand by any state wildlife conservation officer. Each fur dealer shall forward all record books annually to the department office at Pratt on or before April first.

(2) The fur harvester record book shall include:

(A) The date of each receipt of fur;

(B) the name, address and license number of the person selling furs, pelts, skins or carcasses to the fur dealer;

(C) the name of the state where harvested; and

(D) the number of each species of furs, pelts, skins or carcasses acquired.

(3) The fur dealer record book shall include:

(A) The date of each receipt or disposal of fur;

(B) the name, address and fur dealer license number of the fur dealer from which furs, pelts, skins or carcasses are acquired or to which they are sold; and

(C) the number and species of furs, pelts, skins or carcasses acquired or sold.

(f) Revocations. Any fur dealer license may be refused or revoked by the secretary if the fur dealer fails to supply the required information, has violated terms of the license, or has operated in a manner detrimental

to the management of the furbearer resource. (Authorized by K.S.A. 32-164; implementing K.S.A. 32-163; effective May 1, 1984; effective, T-88-23, July 15, 1987; effective, T-89-20, May 27, 1988; effective, T\_\_\_\_\_, \_\_\_\_\_; amended Oct. 18, 1988.)

#### Article 8.—WILDLIFE AREAS

**23-8-2. Certain acts prohibited in wildlife areas.** The following acts or activities shall be prohibited in wildlife areas: (a) Possessing loaded firearms or discharging firearms for any purpose in wildlife areas, except:

(1) Hunting in areas designated as hunting areas by the department of wildlife and parks;

(2) during an authorized field trial event;

(3) during a special activity authorized in writing by the department; or

(4) target practice from sunrise to sunset in areas designated by the department;

(b) Fishing in any wildlife area, except those areas or portions of areas opened to fishing by the department by posted notice;

(c) Throwing trash, waste, or refuse on the ground or in waters, misusing or abusing property, or using area facilities as toilets or for refuse disposal, except those facilities provided for those purposes;

(d) Starting or building a fire in a posted, non-fire area, allowing a fire to cause damage to grounds or facilities, or leaving a fire unattended;

(e) Except as otherwise provided, failing to control dogs with a chain or leash or failing to confine dogs to a motor vehicle, trailer, or cabin. Dogs not so confined or controlled shall be permitted on those portions of the areas which are open for hunting during legal open seasons, authorized field trial events or non-commercial dog training;

(f) Operating any vehicle within wildlife areas at speeds exceeding 25 miles per hour, except where otherwise posted;

(g) Unless posted or otherwise approved by the department, horseback riding and operating motor vehicles in wildlife areas other than on maintained or established roads, trails, and parking areas;

(h) Camping or remaining in a wildlife area for a period longer than seven consecutive days. Each person, and that person's equipment and vehicles, shall be absent for at least 24 hours between each camping period of seven consecutive days;

(i) Disorderly conduct in wildlife areas, including drunkenness, vile language, fighting, disturbing the public peace, and personal exposure by removal or change of clothing in any place where a person is not properly sheltered;

(j) Destroying or injuring any sign, guidepost, property, vegetation or habitat in a wildlife area;

(k) Bathing, swimming or wading in state fishing lakes except in areas posted for this activity. However, wading shall not be illegal as part of fishing, hunting, bull-frogging and trapping activity;

(l) Discharging or using fireworks in a wildlife area, except with the written consent of the department and under conditions specified by the department;

(m) Drinking, displaying or selling alcoholic liquors within a wildlife area. A notice closing certain areas to the use of beer or malt beverages containing not more than 3.2 percent of alcohol by weight may be posted by the department for such periods as the department deems necessary;

(n) Except as authorized by the uniform controlled substances act, possessing or using any controlled substance within a wildlife area;

(o) Private construction of a building, boat dock, fishing dock, launching ramp, tables, or other equipment or facilities on wildlife areas, except as permitted by regulation or by special permit from the department; or

(p) Stocking or releasing of any wildlife unless approved in writing by the department. This regulation shall take effect on and after January 1, 1989. (Authorized by and implementing K.S.A. 32-224; effective Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1980; amended, T-83-3, Jan. 7, 1982; amended May 1, 1983; amended May 1, 1985; amended May 1, 1988; amended Oct. 18, 1988.)

ROBERT L. MEINEN  
Secretary of Wildlife and Parks

Doc. No. 006966

## State of Kansas

### DEPARTMENT OF ADMINISTRATION

#### NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 10 a.m. Monday, October 3, in Room 106 of the Landon State Office Building, 900 Jackson, Topeka, to consider the adoption of proposed rules and regulations of the Division of Personnel Services.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Administration, Room 263-E, State Capitol, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to five minutes.

A summary of proposed regulations and their economic impact follows.

K.A.R. 1-2-81 defines, for the Civil Service regulations, the meaning of "safety sensitive positions" in the classified service as those positions in which the incumbent is a law enforcement officer authorized to carry a firearm or a state correctional officer.

Proposed amendments to K.A.R. 1-6-2 clarify that all job postings, announcements and advertisements for vacancies in safety sensitive positions must include a statement regarding the drug testing requirements associated with such positions.

K.A.R. 1-6-32 establishes the general criteria for the drug testing program for applicants to safety sensitive positions. It specifies that drug tests shall be administered to an applicant only when that applicant has been given a conditional offer of employment for a safety sensitive position. It also states the general circumstances under which this conditional offer of employment is declared null and void. This regulation provides that the Division of Personnel Services will determine the standards and procedures for all drug testing in accordance with statutory mandates. It also mandates confidentiality of all drug testing results, requires them to be maintained separately from all other personnel records, and establishes the conditions for access to this information.

K.A.R. 1-9-19a specifies employees in safety sensitive positions may be required to take a drug screening test based upon reasonable suspicion of drug use. It further states that employees required to take a drug screening test must be notified of this requirement in writing. The regulation mandates that procedures used for drug screening must meet the standards established by the Director, and that results and medical information must be confidential and kept separate from all applicant and employee records. The regulation also establishes the conditions for access to drug screening information.

The 1988 Kansas Legislature passed Senate Bill 643 authorizing the Department of Administration to establish and implement a drug screening program for those persons in safety sensitive positions. Therefore, these regulations reflect statutory requirements.

The persons or entities subject to or affected by these proposed regulations and amendments will be the specified state employees, state agencies and the private citizens who are applicants for these safety sensitive positions. Other governmental units and consumers will not be affected by these changes, either directly or indirectly.

The Department of Administration will bear all responsibility for the direct costs of drug testing mandated by this legislation. For the first full year of the drug testing program, the direct laboratory costs, including initial screening tests, necessary confirmatory tests, collection sites and reports, are estimated to range between \$112,000 to \$150,000. The Department of Administration will also assume all costs necessary to maintain separate, confidential results of any drug tests conducted. State agencies and applicants for safety sensitive positions may assume some indirect costs related to necessary training and potential recruitment and employment delays.

These regulations are proposed on both a permanent and temporary basis, effective October 31, 1988. Copies of the regulations and their economic impact statements may be obtained from the Division of Personnel Services, 9th Floor, Landon State Office Building, 900 Jackson, Topeka 66612, (913) 296-4278, (KANS-A-N 561-4278).

H. EDWARD FLENTJE  
Secretary of Administration

Doc. No. 006954

State of Kansas  
**BOARD OF EDUCATION**

**NOTICE OF HEARING  
 ON PROPOSED  
 ADMINISTRATIVE REGULATIONS**

The State Board of Education will hold a public hearing in Room 121 of the State Education Building, 120 East Tenth Street, Topeka, on October 11, beginning at 1:30 p.m., or as soon thereafter as possible, to consider proposed changes in State Board Regulations numbered S.B.R. 91-31-1, 91-31-2, 91-31-7, 91-31-12a, 91-31-13, 91-31-14a, 91-33-1, 91-33-5, 91-34-1, 91-34-2, 91-34-3, and new S.B.R. 91-31-14.

The following is a summary of the substance of each proposed regulation.

1. S.B.R. 91-31-1 concerns definitions of terms. This regulation is being amended to clarify the definitions concerning school administrators and teachers.
2. S.B.R. 91-31-2 concerns the procedures for accrediting schools. The proposed amendment would require that the contents of the State Board of Education's June 30 accreditation notice be presented as an agenda item at a regular meeting of the local board of education.
3. S.B.R. 91-31-7 concerns the certification of school staff. A proposed amendment would clarify the regulation regarding a district school administrator also functioning as a building administrator. Also, schools would be required to notify the Department of Education within 30 days of any certified staff changes that occur between September 15 and the end of the school year.
4. S.B.R. 91-31-12a concerns accreditation requirements applicable to high schools. The proposed amendment would clarify that an individual whose certificate contains a single subject area endorsement is also allowed to teach any subject area in that field in grades 7, 8, or 9.
5. S.B.R. 91-31-13 concerns accreditation requirements applicable to middle level/junior high schools. The proposed amendment would clarify that an individual whose certificate contains a single subject area endorsement is also allowed to teach any subject area in that field in grades 7, 8, or 9.
6. New S.B.R. 91-31-14 concerns middle level/junior high schools. The proposed new regulation provides for a middle school concept of organization to include one or more grades five through nine.
7. S.B.R. 91-31-14a concerns accreditation requirements applicable to elementary schools. The proposed amendment would clarify the subject areas in which staff members can teach and deletes provisions concerning middle schools, since those schools will be governed by new regulation S.B.R. 91-31-14.
8. S.B.R. 91-33-1 concerns definition of terms. The proposed amendments clarify the definition of teacher.
9. S.B.R. 91-33-5 concerns notification of staff assignments to the Department of Education. The proposed amendment would require schools to notify the Department within 30 days of any certified staff changes that occur between September 15 and the end of the school year.
10. S.B.R. 91-34-1 concerns the accreditation of youth

center schools. The proposed amendment would clarify the definition of teacher.

11. S.B.R. 91-34-2 concerns procedures used for accrediting youth center schools. The proposed amendment would require that the contents of the State Board of Education's June 30 accreditation notice be presented as an agenda item at a regular meeting of the local board of education.

12. S.B.R. 91-34-3 concerns staff required for a youth center school. The proposed amendment would clarify the subject areas in which staff members can teach and would require schools to notify the Department of Education within 30 days of any certified staff changes that occur between September 15 and the end of the school year.

There will be no economic impact upon the State Department of Education nor upon other governmental agencies, private business or individuals as a result of the adoption of these proposed regulations.

Each proposed regulation is printed with this notice. Also, a copy of the proposed regulations and complete economic impact statements may be obtained by contacting the secretary of the State Board of Education, State Education Building, 120 E. 10th Street, Topeka, 66612, prior to the date of the hearing.

On the date of the hearing, all interested persons will be given a reasonable opportunity to present their views or arguments, orally or in writing in regard to the proposed regulations. In addition, the period of public notice hereby provided constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. Written comments may be submitted to the secretary of the State Board of Education at the address above. The hearing shall be conducted in compliance with the public hearing procedures of the state board.

**91-31-1. Definition of terms.** (a) "Accredited" means a school meets all state board accreditation requirements or has not failed to meet one or more state board accreditation requirements for three consecutive school years.

(b) "Accredited-advised" means failure of a school to meet one or more state board accreditation requirements for which no deficiency citation was issued the preceding year.

(c) "Accredited-warned" means failure of a school to have corrected any deficiency cited by the state board for the preceding ~~two consecutive years~~ year.

(d) "Board of education" means the board of education of any unified district or the governing body of any nonpublic school.

(e) "Building administrator" means a person having the administrative and supervisory responsibilities for a school or schools *and who is certified with the appropriate endorsement for the level or levels of assignment.*

(f) "Class period" means a segment of the school day regularly scheduled for instruction in a designated subject. The length of time of the period may vary according to the type of subject and pattern of scheduling.

(g) "District school administrator" means the chief administrative officer appointed by the board of edu-

cation of the district who is responsible for administrative and supervisory duties for all units of organization within the district and who has charge and control of the schools and their personnel *and who is certified with the appropriate endorsement.*

(h) "Lawful custodian" means a person designated in K.S.A. 1987 Supp. 72-962(1), as amended by L. 1987, Ch. 268, Sec. 2, and any amendment thereto.

(i) "Library media" means printed and audiovisual forms of communication and their accompanying technology.

(j) "Library media center" means the service area which houses both the library and the audiovisual services.

(k) "Library media program" means the complete instructional program and other services furnished to pupils and teachers by a library media specialist.

(l) "Library media specialist" means a person who holds a valid certificate with the appropriate endorsement for that person's level of assignment and who directs the library media program in its entirety or specializes in either the print or nonprint areas of the program.

(m) "School" means any building or structure operated or used for pupil attendance purposes by a board of education.

(n) "School year" means the 12-month period ending June 30.

(o) "State board" means the state board of education.

(p) "Teacher" means a person who is responsible for providing instruction or training in any course or subject *and who is certified with the appropriate endorsement for the subject and level of assignment.*

(q) "Unit of credit" means a measure of credit which may be awarded to a student for satisfactory completion of all of the coursework of a particular course or subject. A full unit of credit is credit which is awarded for satisfactory completion of a course or subject that is offered for, and generally requires, a minimum of 120 clock hours to complete. Credit may be awarded in increments based upon the amount of time a course or subject is offered, and generally requires, to complete.

(r) *This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended P-\_\_\_\_\_.)*

**91-31-2. Procedures for accrediting schools.** (a) (1) Each board of education seeking initial accreditation of one or more schools shall make written application to the state board upon forms provided by the state board. The application shall be submitted on or before August 15 of the school year for which accreditation is sought. Accreditation shall be for one school year.

(2) Each school requesting accreditation and each school on the list of accredited schools shall file the building administrator's building report and other reports required by the state board. The building report shall be filed on or before October 1. Intentional

falsification of any report may result in denial or loss of accreditation.

(b) To be accredited, each school shall meet the requirements of applicable Kansas statutes and state board rules and regulations.

(c) Except as otherwise provided, the accreditation status of each school shall be determined on the basis of data provided in official reports concerning the school. The official reports shall include the district school administrator's report and the building administrator's building report, reports from state department of education specialists, the report of the state department of health and environment, the report or order of the state fire marshal, and other reports regarding the school that may be requested by the state board.

(d) Each school shall be accredited or, if any deficiencies exist, shall be accredited-advised or accredited-warned, or shall be dropped from the list of accredited schools. Each school shall annually report the progress made to correct any deficiencies cited the previous year. Except as otherwise provided, the state board shall issue an accreditation advisement the first year for any deficiency. If any deficiency cited is not corrected during the following school year, the state board shall issue an accreditation warning. If any deficiency cited for two consecutive years is not corrected during the third school year, the violating school shall be dropped from the list of accredited schools.

(e) Any school with deficiencies that are identified before March 1 shall be notified of such fact by the state board on or before March 15. All notices indicating such deficiencies shall be mailed to the district school administrator. Deficiencies identified after March 1 shall be entered into the accreditation file ~~after notifying the district school administrator and shall be considered in determining the accreditation status of the school.~~ *included in the June 30 accreditation notice. The contents of the June 30 notice shall be presented as an agenda item at a regular meeting of the local board of education.*

(f) Responses from schools regarding the correction of any deficiency identified before March 1 shall be filed with the state board on or before April 1. Responses to any deficiency identified after March 1 shall be filed on or before June 1. Responses that are not made timely shall not be considered by the state board in determining the appropriate accreditation status of a school.

(g) The accreditation status of each school shall be effective as of June 30 and shall be in force for the following school year unless changed by action of the state board.

(h) At the regular June meeting of the state board, the commissioner of education shall recommend to the state board the action to be taken regarding status of each school seeking accreditation. If the commissioner of education intends to recommend that any school be denied accreditation or be dropped from the list of accredited schools, the commissioner shall notify the president of the board of education and the

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district school administrator of that intention, on or before May 15. The board of education shall be given an opportunity at the June meeting of the state board to present reasons why the school should be accredited. Within five days after the June board meeting, the state board shall send notice to any school that has been denied accreditation or has been dropped from the list of accredited schools. The notice shall be sent by the commissioner of education on behalf of the state board to the president of the board of education and to the district school administrator. Notice shall be sent by restricted mail with return receipt requested.

(i)(1) Any school which is dropped from the list of accredited schools may be reinstated to such list by the state board, if the following conditions are met:

(A) A written request for reinstatement is submitted to the commissioner of education at least three weeks prior to the regular August meeting of the state board; and

(B) The deficiencies causing the school to be dropped from the list as of the preceding June 30 have been corrected and written documentation of such correction is filed with the request for reinstatement.

(2) If the state board finds that a school should be reinstated to the list of accredited schools, the school shall be reinstated to such list under the appropriate accreditation status. The accreditation status of the school shall be effective for the school year in which the school is reinstated to the list of accredited schools.

(j) If the state board determines, following an opportunity for a hearing, that a board of education has failed to follow an order of the state board, the state board may drop all of the schools under the control of the board of education from the list of accredited schools. Such action shall be effective on June 30 of the year in which noncompliance is determined by the state board.

(k) *This regulation shall be effective July 1, 1989.* (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1985; amended May 1, 1987; amended P-\_\_\_\_\_.)

**91-31-7. Staff.** (a) District school administrator.

(1) ~~All schools~~ *Each school* in a district shall be under the supervision of a district school administrator who holds a valid certificate with the appropriate endorsement for that assignment. ~~The~~ *Each* district school administrator shall be assigned at least one-half time to administration and supervision of the schools in the district.

(2) *A* Any school district with an enrollment of less than 300 400 students may also assign the district school administrator as elementary and high school building administrator *if the district school administrator is also certified as a building administrator.*

(b) Building administrators. *Each board of education shall employ building administrators shall be employed by the board of education under a written contract, and except as provided in subsection (a)(2), each building administrator shall hold a valid*

~~certificates~~ *certificate* with the appropriate endorsements for ~~their~~ *the level or levels* of assignment.

(c) Assistant building administrator. In schools where the building administrator requires assistance because of administrative responsibilities, ~~staffing patterns shall include the services of an assistant building administrator~~ *the staff shall include an assistant building administrator.*

(d) Alternative administrative plan; management by objectives. As an alternative to S.B.R. 91-31-12a(h) and 91-31-14a(d), ~~the~~ *any* board of education may develop and disseminate an administrative plan based upon management by objectives. The plan shall be in writing and set out the goals, objectives and expected outcomes for the administrative assignment. There shall be broad-based community involvement in the plan. The plan shall provide for the services of a building administrator who shall be assigned the necessary time to perform administrative responsibilities, and shall indicate the amount and kinds of supportive services available to supplement particular administrative responsibilities. The plan shall be approved by and filed with the state board.

(e) Teachers. Each teacher shall hold a valid certificate with the appropriate endorsements for the subject and level of assignment.

(f) Aides. Non-certified personnel may be employed to supervise pupils in noninstructional activities and shall work under the supervision of certified personnel. ~~Instructional~~ *Each instructional* paraprofessional hired as a special teacher in special education services shall be authorized to assist certified personnel in the instruction of exceptional children as provided by K.S.A. 1987 Supp. 76-962 as amended by L. 1987, Ch. 268, Sec. 2, and K.A.R. 91-12-61, and any amendments thereto.

(g) Substitutes. ~~Any~~ *Each* person holding a substitute teaching endorsement shall teach ~~no not~~ more than 90 days in any school year.

(h) Emergency substitute. ~~Any~~ *Each* person holding an emergency substitute teaching endorsement shall teach ~~no not~~ more than 30 days in one semester.

(i) ~~When~~ *If* a teacher holding a valid certificate with an appropriate elementary, secondary K-12, or substitute endorsement is not available, *any* school district may:

(A) Use a substitute teacher holding a valid Kansas certificate at any level and in any field or subject; or

(B) employ persons who have been certified by the state board as emergency substitute teachers.

(j) *Report staff assignments. The names of each certified staff member shall be reported on the certified personnel report or the supplemental certified personnel report. Each certified personnel staff change that occurs between September 15 and the end of the school year shall be reported on a form prescribed by the state board within 30 days of the staff change.*

(k) *This regulation shall be effective July 1, 1989.* (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended May 1, 1987; amended P-\_\_\_\_\_.)



**91-31-12a. Accreditation regulations applicable to high schools.** (a) Organization. (1) Each high school shall be organized to include at least grades 10, 11 and 12 and may include grades seven through 12 in its organization.

(2) Each high school shall organize its program on the basis of units of credit.

(b) Staff.

(1) Building administrator. Except as provided in S.B.R. 91-31-7, each high school enrolling 200 or more pupils shall have a building administrator who spends at least five clock hours each day in administrative and supervisory responsibilities. Each high school enrolling fewer than 200 pupils shall have a building administrator who spends at least three clock hours each day in administrative and supervisory responsibilities.

(2) Teachers. Each teacher shall hold a valid ~~certificates~~ *certificate* with the appropriate ~~endorsements~~ *endorsement* for the subject and level of assignment. *Except for special education, vocational education and driver education, a teacher whose certificate contains any subject in a field can teach any subject in that field in grades seven, eight, or nine.*

(c) High schools accredited by the state board may be designated as accredited, accredited-comprehensive, or accredited-exemplary.

(1) Accredited. Each accredited high school shall maintain, offer and teach subjects that total at least 30 units of credit in grades nine through 12. Those high schools organized on a grades 10 through 12 plan may count subjects taught in grade nine. Each accredited high school also shall meet the following requirements:

(A) The 30 units of credit shall be taught each year in separate classes. Correspondence credits shall not be counted as part of the 30 required units of credit.

(B) If a subject is taught in more than one section, the subject shall be counted only once in computing the 30 required units of credit.

(2) Accredited-comprehensive. An accredited-comprehensive high school shall maintain, offer, and teach subjects that total a minimum of 50 units of credit in grades nine through 12. Those high schools organized on a grades 10 through 12 plan may count subjects taught in grade nine. Each accredited-comprehensive high school also shall meet the following requirements:

(A) The 50 units shall be taught each year in separate classes. Correspondence credits shall not be counted as part of the 50 required units of credit.

(B) If a subject is taught in more than one section, the subject shall be counted only once in computing the 50 required units of credit.

(3) Accredited-exemplary. Secondary schools may be recognized in the accreditation process as accredited-exemplary schools provided such schools complete a program approved by the state board of education pertaining to evaluation-assessment and the development of school improvement plans.

(4) Any high school teaching less than 30 units of credit, as reported in the September 20 building administrator's building report, shall be dropped from the list of accredited schools by the state board.

(d) *This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983, amended July 12, 1985; amended May 1, 1987; amended P-\_\_\_\_\_.)*

**91-31-13. Accreditation regulations applicable to middle level/junior high schools.** (a) Organization. (1) Each *middle level*/junior high school shall be organized to include one or more grades ~~six~~ *five* through nine.

(2) Each *middle level*/junior high school shall organize its ninth grade program on the basis of units of credit.

(b) Staff.

(1) Building Administrator. Except as provided in S.B.R. 91-31-7, each *middle level*/junior high school enrolling fewer than 200 pupils shall have a building administrator who spends at least three clock hours each day in administrative and supervisory responsibilities. Each *middle level*/junior high school enrolling 200 or more pupils shall have a building administrator who spends at least five clock hours each day in administrative and supervisory responsibilities.

(2) Teachers. All teachers shall hold valid certificates with the appropriate endorsements for the subject and level of assignment. *Except for special education, vocational education and driver education, a teacher whose certificate contains any subject in a field can teach any subject in that field in grades seven, eight, or nine.*

(c) *This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983, amended June 12, 1985, amended May 1, 1987; amended P-\_\_\_\_\_.)*

**91-31-14. Middle/junior high schools.** The middle school concept of organization shall be recognized to include one or more grades five through nine. Boards of education may request that any middle school organized to include one or more grades five through nine be accredited as a middle level/junior high school or as an elementary school by complying with S.B.R. 91-31-13 or S.B.R. 91-31-14a, respectively.

This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-31-14a. Accreditation regulations applicable to elementary schools.** (a) Each elementary school shall conform to the provisions of K.S.A. 72-1107, regarding age of entrance. To be accredited, each elementary school shall have a minimum enrollment of 10 pupils on September 20 of the current school year. Each elementary school may be accredited-exemplary if it meets the requirements of S.B.R. 91-31-12a(c)(3). Any elementary school with an enrollment of less than 10 pupils on September 20 shall be dropped from the accredited list by the state board on or before the following November 15.

(b) Each accredited elementary school shall be organized to include one or more grades kindergarten

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through nine. The middle school concept of organization shall be recognized as a consecutive combination of any grades five through nine. Kindergarten classes shall be organized separately from other grades and shall be organized on a basis of not less than two and one-half clock hours each day when in session.

(c) Each accredited elementary school shall count no more than two 15-minute supervised recess periods per day, one during the mid-morning and one during the mid-afternoon, as part of the school term.

(d) Building Administrator. Except as provided in S.B.R. 91-31-7, each elementary school shall have the services of a building administrator and shall meet the following requirements:

(1) In school buildings having more than 16 teachers, excluding the building administrator, the building administrator shall spend at least 80% of the school day on administrative duties.

(2) In school buildings having six to 16 teachers, excluding the building administrator, the building administrator shall spend at least one-half of the school day on administrative duties.

(3) In school buildings having fewer than six teachers, excluding the building administrator, time during the school week shall be reserved for the building administrator's administrative duties.

(4) For the purpose of determining the number of teachers in paragraphs (d) (1), (2), and (3), part-time teachers shall be counted on a fractional basis according to the amount of time spent by the teacher in the building.

(5) A building administrator may serve in more than one elementary school, if the assignment is in accordance with paragraph (1) of this subsection.

(e) All teachers shall hold valid certificates with the appropriate endorsements for the subject and level of assignment. *Except for special education, vocational education and driver education, a teacher whose certificate contains any subject in a field can teach any subject in that field in grades seven, eight, or nine.*

(f) Elementary schools which have an organized guidance program shall have the services of a certified counselor.

(g) The curriculum of each elementary school shall meet the provisions of K.S.A. 72-1101 and 72-1103 and requirements of the state board. Each elementary school shall have an organized physical education program.

(h) *This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1983; amended July 12, 1985; amended May 1, 1987; amended P-\_\_\_\_\_.)*

**91-33-1. Definitions.** (a) "Accredited" means a school meets all state board accreditation requirements or has not failed to meet one or more state board accreditation requirements for three consecutive years.

(b) "Accredited- advised" means failure of a school to meet one or more state board accreditation requirements for which no deficiency citation was issued the preceding year.

(c) "Accredited-warned" means failure of a school to have corrected any deficiency cited by the state board for the preceding two consecutive years year.

(d) "Administrator" means the person who is charged with administrative and supervisory responsibilities of a school.

(e) "Annual survey" means an annual survey of each school which shows the total number of exceptional children served within the various categories of exceptionality.

(f) "Developmental special preschool" means any school that serves handicapped children under school age.

(g) "Governing body or board" means the governing body or board of a school.

(h) "Library media" means printed and audiovisual forms of communication and their accompanying technology.

(i) "Library media program" means the complete instructional program and other services furnished to students and teachers by a library media center and its staff.

(j) "Local comprehensive plan" means the plan submitted by each school which describes how the school will meet the needs of exceptional children who are served by the school.

(k) "School year" means the 12-month period ending June 30.

(l) "Special education services" means programs for which specialized training, instruction, programming techniques, facilities and equipment may be needed for the education of exceptional children.

(m) "Special purpose school" or "school" means any school for exceptional children which is operated by a private, nonprofit corporation, or a public or private institution, within or without the state of Kansas, and at which special education services, approved by the commissioner of education, are provided, but shall not include any developmental special preschool.

(n) "State board" means the state board of education.

(o) "Teacher" means a person who is responsible for providing instruction or training in any course or subject and who is certified with the appropriate endorsement for the subject and level of assignment.

(p) "Unit of credit" means a measure of credit which may be awarded to a student for satisfactory completion of all of the coursework of a particular course or subject. A full unit of credit is credit which is awarded for satisfactory completion of a course or subject that is offered for, and generally requires, a minimum of 120 clock hours to complete. Credit may be awarded in increments based upon the amount of time for which a course or subject is offered and generally requires to complete.

(q) *This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1984; amended May 1, 1988; amended P-\_\_\_\_\_.)*

**91-33-5. Staff.** (a) Administrator. Each special purpose school shall be under the supervision of person



who holds a valid certificate with an endorsement as a director of special education, district school administrator or building administrator.

(b) Teachers. Each teacher shall hold a valid certificate with the appropriate endorsement or endorsements for that teacher's assignment.

(c) Supportive staff. Supportive personnel shall be assigned in accordance with the special education rules and regulations adopted by the state plan.

(d) Paraprofessionals. Paraprofessionals may be assigned to assist certified teachers as provided by K.S.A. 1987 Supp. 72-962 as amended by L. 1987, Ch. 268, Sec. 2 and K.A.R. 91-12-61, and any amendments thereto.

(e) Substitutes. Any person holding a substitute teaching endorsement shall teach no more than 90 days in any school year.

(f) Emergency substitute. Any person holding an emergency substitute teaching endorsement shall teach no more than 30 days in one semester.

(g) When a teacher holding a valid certificate with an appropriate elementary, secondary, K-12 or substitute endorsement is not available, a school may:

(A) Use a substitute teacher holding a valid Kansas certificate at any level, and in any field or subject; or

(B) employ persons who have been certified by the state board as emergency substitute teachers.

(h) *Report staff assignments. The names of all certified staff members shall be reported on the certified personnel report or the supplemental certified personnel report. Any certified personnel staff change that occurs between September 15 and the end of the school year shall be reported on a form prescribed by the state board.*

(i) *This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1984; amended May 1, 1988; amended P-\_\_\_\_\_.)*

**91-34-1. Definition of terms.** (a) "Accredited" means a school meets all state board accreditation requirements or has not failed to meet one or more state board accreditation requirements for three consecutive school years.

(b) "Accredited-advised" means failure of a school to meet one or more state board accreditation requirements for which no deficiency citation was issued the preceding year.

(c) "Accredited-warned" means failure of a school to have corrected any deficiency cited by the state board for the preceding two consecutive years year. (d) "Closed unit education program" means a program for the provision of education services in a highly restrictive secure setting.

(e) "Contractual agreement" means an agreement between a local education agency and a youth center which specifies in detail the responsibilities, obligations and liabilities of each party concerning the youth center school.

(f) "District school administrator" means the chief administrative officer appointed by the board of education of the district who is responsible for administrative and supervisory duties for all units of organi-

zation within the district and who has charge of the youth center school personnel as outlined in the contractual agreement.

(g) "Library media center" means the service area which houses both the library and any audiovisual services of a youth center school.

(h) "School year" means 225 school days consisting of not less than six hours per day, or 1350 school hours during a period of 12 consecutive months.

(i) "State board" means the state board of education.

(j) "State youth center" or "youth center" means a facility operated by the secretary of social and rehabilitation services for juvenile offenders.

(k) "Supervising teacher" means a teacher assigned responsibility for planning classes taught in a closed unit education program.

(l) "Teacher" means a person who is responsible for providing instruction or training in any course or subject and who is certified with the appropriate endorsement for the subject and level of assignment.

(m) "Youth center school" means a school operated at a state youth center to provide education services to youths admitted to the institution.

(n) "Youth center superintendent" means the chief administrative officer of a youth center responsible for the operations and activities of the youth center.

(o) "Unit of credit" means a measure of credit which may be awarded to a student for satisfactory completion of all of the coursework of a particular course or subject. A full unit of credit is credit which is awarded for satisfactory completion of a course or subject that is offered for, and generally requires, a minimum of 120 clock hours to complete. Credit may be awarded in increments based upon the amount of time for which a course or subject is offered and generally requires to complete.

(p) *This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective November 10, 1987; amended P-\_\_\_\_\_.)*

**91-34-2. Procedures for accrediting youth center schools.** (a) Each youth center school that seeks initial accreditation shall make written application to the state board upon forms provided by the state board. The application shall be submitted on or before August 15 of the school year for which accreditation is sought. Accreditation shall be for one school year.

(b) Each school requesting accreditation and each school on the list of accredited schools shall file the youth center school organization report and other reports required by the state board. The school organization report shall be filed no later than October 10. Intentional falsification of any report may result in denial or loss of accreditation.

(c) (1) The accreditation status of each school shall be determined on the basis of data provided in the youth center application or organization report, the report of the state department of health and environment, the report or order of the state fire marshal, and other reports that may be requested by the state board.

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(2) Each school shall meet the requirements of applicable Kansas statutes and state board rules and regulations.

(d) (1) Each school shall be accredited or, if any deficiencies exist, shall be accredited-advised or accredited-warned, or shall be dropped from the list of accredited schools. Each school shall report, each year, the progress made to correct any deficiencies cited the previous year. For any deficiency, the state board shall issue an accreditation advisement the first year. If any deficiency cited is not corrected during the following school year, the state board shall issue an accreditation warning. If any deficiency cited for two consecutive years is not corrected during the third school year, the violating school shall be dropped from the list of accredited schools.

(2) By not later than March 15 of each school year, any school with deficiencies that are identified by March 1 shall be notified of such fact by the state board. All notices indicating such deficiencies shall be mailed to the youth center superintendent and to superintendent and to the district school administrator of the school district that is providing educational services at the youth center school. Deficiencies identified after March 1 shall be indicated to the youth center superintendent and the district school administrator, entered into the accreditation file, and considered in determining the accreditation status of the school. *The deficiencies shall be included in the June 30 accreditation notice. The contents of the June 30 notice shall be presented as an agenda item at a regular meeting of the local board of education that is providing educational services at the youth center school.*

(3) Responses from schools regarding the correction of any deficiencies identified before March 1 shall be filed with the state board no later than April 1. Response to deficiencies identified after March 1 shall be filed no later than June 1. Any response that is not made timely shall not be considered by the state board in determining the appropriate accreditation status of a school.

(4) The accreditation status of each school shall be effective as of June 30 and shall be in force for the following school year, unless changed by action of the state board.

(e) (1) At the regular June meeting of the state board, the commissioner of education shall recommend to the state board the action to be taken regarding the accreditation status of each youth center school. If the commissioner of education intends to recommend that a youth center school be dropped from the list of accredited schools, the commissioner shall notify the district school administrator and the youth center superintendent of that intention no later than May 15.

(2) The district school administrator and the youth center superintendent shall be given an opportunity at the June meeting of the state board to prevent reasons why the school should be accredited. If the state board determines a school should be dropped from the accredited list, the commissioner of education will send notice of such action to the district school administra-

tor and the youth center superintendent. Such notice shall be sent by restricted mail within five days after the June state board meeting.

(f) (1) Any youth center school which is dropped from the list of accredited schools may be reinstated to such list by the state board if the following conditions are met:

(A) A written request for reinstatement is submitted to the commissioner of education at least three weeks prior to the regular August meeting of the state board; and

(B) The deficiencies causing the school to be dropped from the accredited list as of the preceding June 30 have been corrected and written proof of such correction is filed with the request for reinstatement.

(2) If the state board finds that a youth center school should be reinstated to the list of accredited schools, the state board shall direct staff to accomplish such reinstatement and the school shall be reinstated under the appropriate accreditation status. This accreditation status shall remain in force for the school year in which the school is reinstated to the list.

(g) *This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective November 10, 1987; amended P-\_\_\_\_\_.)*

**91-34-3. Youth center staff.** (a) Director of education. Each youth center school shall be under the supervision of a director of education who holds a valid certificate with the building administrator endorsement.

(b) Teachers. Each youth center school teacher shall hold a valid certificate with the appropriate endorsement or endorsements for the subject and level of assignment. *Except for special education, vocational education and driver education, a teacher whose certificate contains any subject in a field can teach any subject in that field in grades seven, eight, or nine.*

(c) Aides. Noncertified personnel may supervise pupils in noninstructional activities, but shall work under the supervision of certified personnel. Special education paraprofessionals shall be authorized to assist certified personnel in the instruction of exceptional children as provided by K.S.A. 1987 Supp. 72-962 as amended by L. 1987, Ch. 268, Sec. 2 and the state plan for special education.

(d) Counselors. The students at each youth center school shall have access to the services of one or more counselors certified by the state board of education.

(e) Teacher records. An individual teacher record, including a current college transcript or transcripts, certification, tenure, salary, retirement status, and other personnel data shall be on file with the school district by whom the teacher is employed.

(f) Substitutes. Any person holding a substitute teaching endorsement shall teach no more than 90 days in any school year.

(g) Emergency substitute. Any person holding an emergency substitute teaching endorsement shall teach no more than 30 days in one semester.

(h) When a teacher holding a valid certificate with

an appropriate endorsement is not available, youth center schools may:

- (1) Use a substitute teacher holding a valid Kansas certificate at any level, and in any field or subject; or
- (2) employ persons who have been certified by the state board as emergency substitute teachers.

(i) *Report staff assignments. The names of all certified staff members shall be reported on the certified personnel report or the supplemental certified personnel report. Any certified personnel staff change that occurs between September 15 and the end of the school year shall be reported on a form prescribed by the state board.*

(j) *This regulation shall be effective July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective November 10, 1987; amended P-\_\_\_\_\_.)*

DR. LEE DROEGEMUELLER  
Commissioner of Education

Doc. No. 006952

State of Kansas

## BOARD OF EDUCATION

### NOTICE OF HEARING ON PROPOSED

### ADMINISTRATIVE REGULATIONS

The State Board of Education will hold a public hearing in Room 121 of the State Education Building, 120 East Tenth Street, Topeka, on October 11, beginning at 1:30 p.m., to consider proposed changes in State Board Regulations numbered S.B.R. 91-1-32, 91-1-32a, 91-1-33, 91-1-38, 91-1-58, 91-1-60, 91-1-79, 91-1-85, 91-1-92, 91-1-107a, 91-1-128a, 91-1-129a, 91-1-131, 91-1-132a, 91-1-149, 91-1-150 and K.A.R. 91-1-27b, 91-19-1, 91-19-2, and 91-19-6.

The following is a summary of the substance of each proposed regulation and a summary of its anticipated economic impact.

1. **S.B.R. 91-1-32** is being amended to consolidate into one regulation requirements relating to administrator endorsements currently provided in S.B.R. 91-1-32, 91-1-32a, 91-1-38, 91-1-128a and 91-1-129a. Also, renewal requirements based upon credit hours for those issued certificates prior to July 1, 1980 are made consistent with renewal requirements for other administrators. There will be no economic impact upon the State Department of Education nor upon other governmental agencies, private business or individuals.

2. **S.B.R. 91-1-32a** concerns district school administrator endorsements issued prior to June 1, 1986. This regulation is being replaced by S.B.R. 91-1-32. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

3. **S.B.R. 91-1-33** concerns the certification renewal requirements for the Director of Special Education endorsement. The proposed amendment would allow individuals who have started Director of Special Education programs under previous regulations to finish their program under those requirements and not have to meet

more recent requirements which were imposed by regulatory change. There will be no economic impact upon the Department. Individuals who have started Director of Special Education programs under old requirements would not be subject to the cost of meeting the new requirements.

4. **S.B.R. 91-1-38** concerns administrator endorsements issued prior to July 1, 1980. This regulation is being replaced by S.B.R. 91-1-32. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

5. **S.B.R. 91-1-58** concerns substitute teaching certificates and is being amended to delete requirements imposed upon school districts which have been placed in accreditation regulations. Editing has been done to clarify the regulation. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

6. **S.B.R. 91-1-60** concerns emergency substitute teacher certificates and is being amended to delete requirements imposed upon school districts which have been placed in accreditation regulations. Substantial editing has been done to clarify the regulation. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

7. **S.B.R. 91-1-79** concerns general education standards for teacher education programs. The proposed amendments are an attempt to make the regulation more concise and clear. The standards remain the same, with no increase or decrease in the general education component of state-approved programs. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

8. **S.B.R. 91-1-85** concerns endorsements in Bilingual/Multicultural Education. The proposed amendments would allow an individual to receive a provisional endorsement in Bilingual/Multicultural Education, if the individual had completed 12 semester hours of a state-approved program in this field and filed a deficiency plan leading to completion of a full program. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

9. **S.B.R. 91-1-92** concerns the English as a second language endorsement. The proposed amendment will allow provisional endorsement in English as a second language, if an individual has completed 12 semester hours in a state-approved English as a second language program and filed a deficiency plan leading to completion of a full program. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

10. **S.B.R. 91-1-107a** concerns the library media endorsement. The proposed amendment will allow provisional endorsement in Library Media, if an individual has completed 12 semester hours in a state-approved library media program and filed a deficiency plan leading to completion of a full program. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

11. **S.B.R. 91-1-128a** concerns the building administrator endorsement. This regulation is being amended to

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contain only the standards for state approval of such administrator programs. Certification requirements are transferred to 91-1-32. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

12. **S.B.R. 91-1-129a** concerns the district school administrator endorsement. This regulation is being amended to contain only the standards for state approval of such administrator programs. Certification requirements are transferred to 91-1-32. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

13. **S.B.R. 91-1-131** concerns the school counselor endorsement. This amended regulation would allow a provisional endorsement to be issued to an individual who has met all requirements for a school counselor endorsement, except the two years of accredited experience. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

14. **S.B.R. 91-1-132a** concerns the school psychologist endorsement. The proposed amendment will allow individuals to complete their internship in school psychology over a two-year period on a half-time basis instead of requiring it to be completed in a one year period on a full-time basis. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

15. New **S.B.R. 91-1-149** concerns state-approved programs in Principles of Technology. This new regulation would allow teacher education institutions to have a state-approved program in Principles of Technology and allow individuals who complete the programs to receive an endorsement in Principles of Technology. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

16. New **S.B.R. 91-1-150** concerns certificate renewal based upon military service. This proposed new regulation would allow individuals to renew their certificates based upon military service, under certain circumstances. There will be no economic impact upon the State Department of Education nor upon other governmental agencies, or private businesses. Some individuals will not incur the costs of additional recent credit in order to renew their certificates.

17. **K.A.R. 91-1-27b** concerns the period of validity of certificates issued to individuals who have met all requirements for certification, except having passed the pre-certification examination. The period of validity would be limited to the duration of the school year in which the certificate is issued. Under the present regulation, the validity period of such certificates is a year from the date of issuance. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

18. **K.A.R. 91-19-1** prescribes definitions applicable to student teaching. The regulation is being amended to include state-approved early childhood education agencies and interlocal cooperatives as agencies in which student teaching may be performed. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

19. **K.A.R. 91-19-2** concerns student teacher certifi-

cates. The proposed amendments are editorial in nature and are designed to shorten and clarify the regulation. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

20. **K.A.R. 91-19-6** concerns student teacher assignment and supervision. The proposed amendments permit individuals to perform student teaching in approved early childhood education agencies or interlocal cooperatives. There will be no economic impact upon the Department nor upon other governmental agencies, private business or individuals.

A copy of each of the proposed regulations and complete economic impact statements may be obtained by contacting the secretary of the State Board of Education, State Education Building, 120 East Tenth Street, Topeka, 66612, prior to the date of the hearing.

On the date of the hearing, all interested persons will be given a reasonable opportunity to present their views or arguments, either orally or in writing, in regard to the proposed regulations. In addition, the period of public notice hereby provided constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. Such written comments may be submitted to the secretary of the State Board of Education at the above address. The hearing shall be conducted in compliance with the public hearing procedures of the State Board.

**91-1-32. Administrator endorsements issued prior to May 1, 1984.** (a) Any initial endorsement for building administrator, vocational-technical administrator and district school administrator valid for one year and issued prior to May 1, 1984 shall be converted to a five-year administrator endorsement upon submitting an application and fee for renewal.

(b) Applicants holding or eligible for a valid five-year certificate shall be granted an initial five-year administrator endorsement upon completing an approved administrator program.

(c) Applicants not eligible for the initial five-year certificate shall be granted an initial three-year administrator endorsement upon completing an approved administrator program.

(d) Renewal requirements. Renewal requirements shall be the same as those in **S.B.R. 91-1-30(b)(1)** and **S.B.R. 91-1-30(b)(6)(A)**, **S.B.R. 91-1-30(b)(6)(B)**, or **S.B.R. 91-1-146d**. *District school administrator, building administrator.* (a) Any individual who holds a valid Kansas district school administrator endorsement originally issued prior to June 1, 1986 may serve as, or continue to serve as, a district school administrator or as an elementary or secondary building administrator, or both.

(b) Each applicant for a district school administrator endorsement shall have completed a graduate degree, a state-approved district school administrator program, a state-approved building administrator program, have two years of teaching experience and be recommended by an accredited teacher education institution.

(c) Each applicant for a building administrator endorsement shall have completed a graduate degree,

a state-approved building administrator program, have two years teaching experience at the level of building administrator endorsement and be recommended by an accredited teacher education institution. Elementary experience shall be in an accredited or approved school which includes any combination of grades kindergarten through nine and in a subject or field in which the applicant held a K-9 level endorsement. Secondary experience shall be in an accredited or approved school which includes any combination of grades seven through 12 and in a subject or field in which the applicant held a 7-12 level endorsement.

(d) *Renewal requirements.*

(1) *Renewal of administrator endorsements originally issued under requirements in effect prior to July 1, 1980 shall require:*

(A) *Three years of recent, accredited or approved experience during the term of the last certificate held by the applicant; or*

(B) *six additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d.*

(2) *Renewal of administrator endorsements originally issued on or after July 1, 1980 shall require six additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d. Two renewals may be granted on verification of three years of recent, accredited or approved experience during the term of the last certificate held by the applicant.*

(3) *Any one-year building or district school administrator endorsement issued under requirements in effect prior to May 1, 1984 shall be converted to full endorsement upon the applicant having met renewal requirements for the certificate held.*

(4) *Any individual holding a district or building administrator endorsement shall not be required to complete a two semester-hour survey course in the area of exceptional children for renewal of certification.*

(e) *This regulation shall be effective on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; amended May 1, 1984; amended P-\_\_\_\_\_.)*

**91-1-32a.** This regulation shall be revoked on and after July 1, 1989. (Authorized by, and implementing, Kansas Constitution Article 6, Section 2(a); effective July 12, 1985; amended March 12, 1986; revoked P-\_\_\_\_\_, 1989.)

**91-1-33.** Director of special education. (a) *Each applicant for endorsement as director of special education shall have completed. Each state-approved director of special education program shall consist of a course of study:*

(1) *Allowing the students to complete:*

(1) *A state approved director of special education program;*

(2) (A) *A state-approved program in a special education subject area;*

(3) (B) *a state-approved district school administrator program; and*

(4) (C) (A) (i) *a state-approved building administrator program, including two years teaching experience; or*

(B) (ii) *a state-approved special education supervisor-coordinator program, including two years teaching experience in a recognized special education area; and*

*In addition, each applicant for endorsement as a director of special education shall be recommended by a teacher education institution.*

(b) *Approved programs shall require students to complete a course of study allowing the students to acquire the ability to:*

(2) *allowing the student to acquire the ability to:*

(1) (A) *Develop a written comprehensive plan for the provision of special education and related services; and*

(2) (B) *perform special education and related services program administrative operations in a supervised practicum placement.*

(e) (b) *Renewal requirements.*

(1) *Renewal of director of special education endorsements originally issued prior to July 1, 1980; shall require: for renewal*

(A) *Three years of recent accredited or approved experience during the validity term of the last certificate held by the applicant; or*

(B) *six additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d.*

(2) *Renewal of director of special education endorsements originally issued on or after July 1, 1980; shall require for renewal: (A) six additional hours of recent credit or the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d; or (B) Two renewals may be granted on verification of three years of recent, accredited or approved experience during the validity term of the last certificate held by the applicant.*

(3) *Any individuals holding a director of special education endorsement shall not be required to complete a two-hour survey course in the area of exceptional children for renewal of certification. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; amended May 1, 1986; amended June 1, 1988; amended P-\_\_\_\_\_.)*

**91-1-33.** This regulation shall be revoked on and after July 1, 1989. (Authorized by Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; revoked P-\_\_\_\_\_, 1989.)

**91-1-53.** Substitute teaching endorsement certificate. (a) *A substitute teaching endorsement certificate may be issued to any person meeting the requirement of subsection (b) applicant who:*

(1) *Held a current or past valid Kansas teacher's certificate;*

(continued)



(2) held a current or past valid teaching certificate from another state; or

The initial substitute teaching endorsement shall be valid for five years. Persons holding a substitute teaching endorsement shall teach no more than 90 days in any school year. The substitute teaching endorsement shall be valid for the grade level specified by the applicant's Kansas certificate or out of state certificate, if based upon such a certificate; or, if based upon completion of an approved teacher education program, for the grade level of preparation.

(b) Each applicant shall present evidence of the following:

(1) having held a current or past Kansas teacher's certificate. The recent credit or experience required by S.B.R. 91-1-27(e) shall not apply; or

(2) having held a current or past valid teaching certificate from another state. The recent credit or experience required by S.B.R. 91-1-27(e) shall not apply; or

(3) completion of a baccalaureate degree in an approved secondary or elementary teacher education program, including recency, as specified in S.B.R. 91-1-27(e) completed a state-approved teacher education program, and eight semester hours of recent credit if holding a bachelor's degree, or six semester hours of recent credit if holding an advanced degree.

(c) (b) A renewal of the substitute teaching endorsement certificate shall be valid for five years and shall may be issued to applicants any applicant who present presents evidence of having received completed:

(1) Five semester hours of recent college credit earned since the issuance of the previous substitute endorsement teaching certificate. Credit College semester hours that is are submitted as a basis for endorsement a substitute teaching certificate renewal shall meet the requirements stated in S.B.R. 91-1-30(b)(1); or

(2) the prescribed number of recent inservice education points specified in S.B.R. 91-1-146a to 91-1-146d. 100 recent inservice education points earned since the issuance of the previous substitute teaching certificate.

(A) None of the 100 inservice education points for renewal of a substitute teaching certificate are required to be college semester hours.

(B) A substitute teacher employed for any period of time by an education agency having a state-approved inservice education plan may participate, with the approval of the governing body, in that education agency's inservice education plan.

(c) A substitute teacher certificate shall be valid for:

(1) Five years; and

(2) for the grade level for which the applicant held a teaching certificate, or if issued based upon completion of a state-approved teacher education program, for the grade level recommended by the recommending teacher education institution.

(d) An applicant for a substitute teacher certificate only shall not be required to:

(1) Take and satisfactorily pass the precertification examination; or

(2) have a 2.5 cumulative grade point average on a 4.0 grade point system.

(e) This regulation shall be effective on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; amended May 1, 1983; amended May 1, 1985; amended May 1, 1987; amended P-\_\_\_\_\_.)

**91-1-60. Emergency substitute teachers teacher certificate.** (a) When teachers holding a valid certificate with appropriate elementary, secondary, K-12 or substitute endorsements are not available, school districts may:

(1) Use substitute teachers holding a valid Kansas certificate in any level, field or subject; or

(2) employ persons who have been certified by the state board as emergency substitute teachers, under the provisions of this regulation.

(b) (a) The state board may issue an An emergency substitute teacher certificate may be issued to any person applicant who has:

(1) Submitted an application and fee;

(1) (2) completed a minimum of 60 semester hours of college credit; and

(2) (3) been recommended for certification as an emergency substitute teacher by the district school a local education agency administrator and the president of the local board of education education agency governing board.

(c) Any person issued a certificate under the provisions of this regulation shall not be permitted to serve as a substitute teacher for more than 30 days in one semester. When issued, a copy of each certificate shall be placed on file with the state board.

(b) An applicant for an emergency substitute teacher certificate only shall not be required to:

(1) Take and satisfactorily pass the precertification examination; or

(2) have a 2.5 cumulative grade point average on a 4.0 grade point system.

(c) This regulation shall take effect on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective (temporary) January 8, 1982; (permanent) May 1, 1982; amended May 1, 1984; amended P-\_\_\_\_\_.)

**91-1-79. General education.** (a) The Each institution shall: (a) Provide evidence of have a process for coordinating the development of curriculum and its implementation and evaluation between those departments offering general education and the teacher education unit, to assure that the goals of the general education standards for teacher education programs are achieved;

(b) The provide a general education program, which shall:

(1) Be designed to develop the student's skills of analysis, synthesis, and evaluation; competence a written and oral communication skills; understanding of and the ability to use basis mathematical properties, processes, and symbols; and require the study and the application of modes of inquiry and the characteristics of the discipline in the arts, humanities, natural science, and the social sciences; essential to under-

standing intellectual ideas and principles, and to facilitate an appreciation of the arts;

(2) require study to develop competency in written and oral communication skills;

(3) require study to develop an understanding of and the ability to use basic mathematical properties, processes, and symbols;

(4) require the study of the historical and cultural values, customs, and social institutions of both western and nonwestern cultures and of both minority and majority cultures in our own society; and

(5) require the study of the applicant of modes of inquiry and the characteristics of the disciplines in the arts, humanities, natural sciences, and the social sciences.

(c) This regulation shall take effect on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; amended P-\_\_\_\_\_.)

**91-1-85. Bilingual-multicultural education.** (a) Each applicant for the bilingual/multicultural endorsement shall possess or be eligible for endorsement in another area. Each applicant for a bilingual-multicultural education endorsement shall hold a valid teaching certificate, shall have completed a state-approved bilingual-multicultural education program and shall be recommended by a teacher education institution.

(b) An elementary teacher education program shall provide experience in both English and the dominant language in all basic subject matter content. A secondary teacher education program shall provide experience in both English and the dominant language in all basic subject matter content. A secondary teacher education program shall provide experience in both English and the dominant language in the teacher's field(s) of specialization.

(b) Provisional endorsement.

(1) An applicant shall be issued an initial one-year provisional bilingual-multicultural education endorsement if the applicant:

(A) Has on file at a teacher education institution, a deficiency plan to complete a state-approved bilingual-multicultural education program; and

(B) has submitted a statement, from the teacher education institution at which the deficiency plan is filed, verifying that the applicant has completed a minimum of 12 semester hours in a state-approved bilingual-multicultural education program.

(2) A provisional endorsement issued under paragraph (1) of this subsection may be renewed for four additional one-year periods if the applicant submits annually:

(A) An application for renewal; and

(B) a statement, from the teacher education institution at which the deficiency plan is filed, verifying that progress has been made toward completion of the state-approved program.

(c) The program shall provide for: A state-approved bilingual-multicultural education program shall consist of a course of study allowing the students to demonstrate:

(1) The study Knowledge of the history and cultural patterns of the United States and the history and culture of related to the candidate's second language;

(2) Experience in adapting the ability to adapt existing materials to the needs of the bilingual-multicultural program;

(3) The study knowledge of linguistics, including the differences between the language systems, sound systems, forms and structures of the second language and English and experiences in applying the understanding gained in these studies the ability to apply this knowledge to a bilingual-multicultural teaching situation;

(4) Opportunities for prospective teachers to demonstrate their the ability to relate successfully to students, parents, and community members of the appropriate cultural group;

(5) The study knowledge of teaching methods and diagnostic and prescriptive activities which are appropriate for bilingual-multicultural teaching;

(6) The study knowledge of the history and philosophy of bilingualism and of bilingual and multicultural education; and

(7) Experience the ability to utilize continuous language and content assessment as part of the learning process and recognize potential linguistic and cultural biases of existing assessment instruments and procedures; and

(8) the ability to utilize English and the dominant language in all basic subject matter content and the field or fields of specialization.

(d) This regulation shall take effect on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; amended P-\_\_\_\_\_.)

**91-1-92. English as a second language.** The program shall provide for: (a) Each applicant for an English as a second language endorsement shall have completed a state-approved English as a second language program and be recommended by a teacher education institution.

(b) Provisional endorsement.

(1) An applicant shall be issued an initial one-year provisional English as a second language endorsement if the applicant:

(A) Has on file at a teacher education institution, a deficiency plan to complete a state-approved English as a second language program; and

(B) has submitted a statement, from the teacher education institution at which the deficiency plan is filed, verifying that the applicant has completed a minimum of 12 semester hours in a state-approved English as a second language program.

(2) A provisional endorsement issued under paragraph (1) of this subsection may be renewed for four additional one-year periods, if the applicant submits annually:

(A) An application for renewal; and

(B) a statement, from the teacher education institution at which the deficiency plan is filed, verifying

(continued)

that progress has been made toward completing the state-approved program.

(c) A state-approved English as a second language program shall consist of a course of study allowing the students to demonstrate:

(1) ~~The study~~ Knowledge of general linguistics and applied linguistics so that the prospective teacher can apply to language teaching an understanding of the differences in the sound systems, forms, structures, and lexicon of English and other languages;

(2) ~~The study~~ knowledge of language as an essential element of culture and the principal ways in which the culture of the United States differs from other cultures;

(3) ~~The study~~ knowledge of the process of language acquisition and development;

(4) ~~Experience in language teaching which shall include~~ knowledge of present-day objectives of the teaching of English as a second language and ~~an understanding~~ of the methods and techniques for attaining these objectives;

(5) ~~Experience in the use~~ knowledge of specialized techniques and the ability to evaluate the effectiveness of teaching materials, procedures, and curricula, as well as the professional literature ~~of regarding~~ teaching English as a second language;

(6) ~~The study~~ knowledge of the principles of language assessment and ~~experience in applying the ability to apply~~ the techniques of second language assessment and ~~interpretation of~~ to interpret the results of second language assessment; and

(7) a proficiency in spoken and written English at a level commensurate with the ~~student's role as~~ role of language model.

(d) This regulation shall take effect on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution, effective January 8, 1982; amended P-\_\_\_\_\_.)

**91-1-107a. Library media.** (a) Each applicant for a library media endorsement shall have completed a state-approved library media program which includes graduate level coursework, shall have a valid teaching certificate and shall be recommended by a teacher education institution.

(b) *Provisional endorsement.*

(1) For any application for a provisional endorsement made prior to July 1, 1992, an applicant shall be issued an initial one-year provisional library media endorsement if the applicant:

(A) Has a valid teaching certificate;

(B) has on file at a teacher education institution, a deficiency plan to complete a state-approved library media program; and

(C) has submitted a statement, from the teacher education institution at which the deficiency plan is filed, verifying that the applicant has completed a minimum of 12 semester hours in a state-approved library media program.

(2) A provisional endorsement issued under paragraph (1) of this subsection may be renewed for three additional one-year periods, if the applicant submits annually:

(A) An applicant for renewal; and

(B) a statement, from the teacher education institution at which the deficiency plan is filed, verifying that progress has been made toward completing the state-approved program.

(b) (c) ~~Approved programs~~ A state-approved library media program shall ~~require students to complete~~ consist of a course of study allowing the students to:

(1) Recognize that the school library media program is an integral part of the educational process and recognize the manner in which it contributes to the achievement of school and district educational goals and objectives by:

(A) Demonstrating an ability to analyze the information needs of the school community; and

(B) writing goals for the school library media program that are stated in terms of local, state, regional, and national guidelines, that reflect the community analysis and that include the media program as an integral part of the school's total educational program;

(2) Recognize that planning is a cooperative effort of district and school library media specialists working with educational staff, students, and other users of library media resources. Each student shall be able to list ways to plan with teachers, administrators, and other library media specialists for a sequential, curriculum-related program of library media instruction;

(3) Demonstrate communication skills necessary to interpret the role of the school library media program to students, teachers, administrators, and the community by:

(A) Identifying the role, the users, and user needs of the school library media center; and

(B) identifying and exhibiting communication skills required for successful library media programs;

(4) Demonstrate managerial competencies required for fulfilling the responsibilities of the library media specialist by:

(A) Developing policies and procedures for operating a school library media center; and

(B) writing job descriptions for library media specialist, aide, clerk, student, and volunteer;

(5) Demonstrate knowledge of facilities planning and design of school library media centers for optimum utilization. The student shall be able to design a library media center plan which shows adequate and appropriate types of space, equipment, furniture, storage, electrical resources, and safety regulations necessary to provide for maximum use and accessibility by users, including the handicapped;

(6) Demonstrate knowledge of long and short-range budget plans for the library media program by:

(A) Designing, developing and writing budgetary proposals to support the school library media program, utilizing funding from local, state, and national sources;

(B) developing budgets that include funding requests and allocations for the acquisition, maintenance, repair, and replacement of materials, equipment, and supplies to support maximum utilization of the school library media program; and



(C) identifying sources of grants and writing grant proposals;

(7) Recognize that evaluation is a continuous process to determine effectiveness of the school library media program in the context of the school and district educational goals and objectives. The student shall be able to design a plan for continuous evaluation of the effectiveness of the school media program in achieving stated objectives;

(8) Demonstrate ability to assist the administration in the promotion of staff development so that the staff and administration will be committed to using the school library media staff, center, and collection as an integral part of instruction. The student shall be able to identify ways the school library media center can assist teachers in curriculum and lesson planning;

(9) Demonstrate an awareness of existing legal framework ~~dealing with~~ regarding the right of access to information by students and teachers by:

(A) Demonstrating skills in preparing a selection policy which includes procedures to be used for challenged materials;

(B) explaining how community standards can influence intellectual freedom; and

(C) demonstrating awareness of copyright laws and the restrictions placed on producing, duplicating, and copying media by these laws;

(10) Recognize the interdependence of all types of libraries by:

(A) Explaining use of library networking to meet needs for additional materials not a part of the school library media program; and

(B) demonstrating knowledge of area educational cooperatives and their resources;

(11) Demonstrate knowledge of the importance of the various technologies of instruction by:

(A) Demonstrating an understanding of the role of technology, such as including microcomputers, telecommunications, data bases, and information networks, in curriculum development; and

(B) recognizing describing the potential uses of new technology in education and its relationship to curriculum;

(12) Recognize that the school library media specialist acts as a co-designer of curriculum and teaching strategies at building and district levels by:

(A) Demonstrating knowledge of curriculum at the level library media certification is sought;

(B) demonstrating knowledge of instructional design and curriculum development concepts so that the specialist can work with teachers in creating media for use in the curriculum; and

(C) designing and producing instructional units.

(13) Recognize that a school's media collection represents the essential informational base of the instructional program, and that this collection is based upon organization, collection development, utilization, and evaluation, by:

(A) Demonstrating knowledge of methods of media organization;

(B) demonstrating knowledge of curriculum and applying this knowledge to the selection of all types of media;

(C) recognizing and utilizing bibliographic tools and other sources that provide information and current reviews of media;

(D) demonstrating knowledge of literature for children and young adults;

(E) demonstrating ability to write specifications for equipment based on the stated needs of the curriculum user;

(F) demonstrating an awareness of trends in publishing;

(G) demonstrating knowledge of publishing sources, producers, suppliers, and related technical terminology which is necessary in evaluating and selecting instructional equipment;

(H) identifying reading and interest levels of users of the school library media program;

(I) teaching skills necessary for retrieval of information and the utilization of materials and equipment in a sequential curriculum-related program of library media instruction that will further lifelong learning; and

(J) designing evaluation tools to assess utilization of materials and equipment;

(14) Recognize the essential contribution of media to the curriculum process by:

(A) Operating commonly used production equipment;

(B) developing and producing media;

(C) teaching media production skills; and

(D) demonstrating effective use of locally produced and commercially produced media in teaching and learning strategies;

(15) Demonstrate an understanding of the principles of learning and research as they apply to educational technologies by:

(A) Demonstrating knowledge of current learning theories; and

(B) demonstrating knowledge of research in educational technologies.

(16) Recognize the need for continued professional growth by:

(A) Recognizing the need for self-evaluation;

(B) demonstrating knowledge of sources for continuing education; and

(C) demonstrating knowledge of the importance of participation in the various professional organizations at the local, state, regional and national levels.

(d) *This regulation shall take effect on and after July 1, 1989. (Authorized by and implementing, Article 6, Section 2(a) of the Kansas Constitution; effective May 1, 1984; amended June 1, 1988; amended P-\_\_\_\_\_)*

**91-1-128a. Building administrator.** (a) ~~Each applicant for a building level administrator endorsement at the elementary, middle or secondary level shall have earned a graduate degree, shall have successfully completed a state approved building administrator program and two years of teaching experience at the level at which endorsement is sought and shall be recommended by a teacher education institution.~~

(b) ~~Approved programs shall enable students to~~

(continued)

(a) A state-approved building administrator program shall consist of a course of study allowing the students to:

(1) Demonstrate knowledge of philosophical, historical and social foundations of education. The student shall be able to articulate a personal philosophy of education which evidences an understanding of the philosophical, historical and social foundations of contemporary schools.

(2) Demonstrate knowledge of classroom instruction and strategies for improving instructional effectiveness by:

(A) Demonstrating a basic understanding of developmental psychology sufficient to interpret human developmental patterns and their behavioral implications;

(B) demonstrating the application of learning theories and instructional theories to classroom settings; and

(C) demonstrating knowledge of assessment tools that may be used to determine the adequacy of an instructional approach.

(3) Demonstrate knowledge of the management skills necessary to conduct the legal and financial support services of school system operation by:

(A) Demonstrating an understanding of basic constitutional issues related to students and school personnel;

(B) demonstrating ability to identify and apply legal concepts as they relate to student discipline, employment practices, and other powers, duties and liability concerns of the school system;

(C) demonstrating an understanding of the funding sources for school system operation; and

(D) demonstrating knowledge of the skills required to budget educational funds for program needs at the building level.

(4) Demonstrate knowledge of the management skills necessary for supervision of personnel at the building level by:

(A) Demonstrating knowledge of effective leadership skills, including those related to the decision-making process, resolution of conflict, and the creation of an appropriate organizational climate;

(B) demonstrating knowledge of methods for selection, orientation, and placement of school personnel;

(C) recognizing individual differences in staff member characteristics;

(D) demonstrating knowledge of process and product approaches to evaluation;

(E) demonstrating knowledge of the responsibilities of the building administrator regarding staff development and its relationship to instructional improvement; and

(F) demonstrating ability to define and describe personnel problems and issues;

(5) Demonstrate knowledge of the building administrator's role in planning, implementing and evaluating curricular, co-curricular and pupil services programs by:

(A) Demonstrating knowledge of the building administrator's role in providing instructional leadership in a school setting;

(B) demonstrating knowledge of the building administrator's role in the management of instructional and support services for the school; and

(C) demonstrating knowledge of the building administrator's role in needs identification and prioritization and allocation of resources;

(6) Demonstrate knowledge of educational research and the skills required for its application by:

(A) Describing the methodologies typically used in empirical investigation to formulate and execute a research design; and

(B) demonstrating the ability to read, understand and apply research findings;

(7) Demonstrate knowledge related to the assessment and maintenance of viable communication systems within the school, the school system and the community by:

(A) Demonstrating knowledge of the skills required to monitor and assess group effectiveness;

(B) demonstrating an understanding of formal and informal communication patterns within the school and community; and

(C) demonstrating knowledge of various public organizations and agencies which impact on policy formation;

(8) Demonstrate skills in applying knowledge of administrative practice through participation in a directed field experience. The student shall demonstrate the ability to assume and perform directed administrative responsibility for general school building operations.

(b) Applicants for a building administrator endorsement shall be required to meet the requirements of S.B.R. 91-1-32(c).

(c) This regulation shall take effect on and after June 1, 1986 July 1, 1989. (Authorized by, and implementing, ~~Kans. Const. Art. Article 6, Sect. Section 2a~~ of the Kansas Constitution; effective May 1, 1984; amended P-\_\_\_\_\_.)

**91-1-129a. District school administrator.** (a) ~~Each applicant for a district school administrator endorsement shall have successfully completed a state-approved graduate degree program, requirements of S.B.R. 91-1-128(a) for a building administrator endorsement and two years of teaching experience and shall be recommended by a teacher education institution.~~

(b) ~~Approved programs shall enable students to: A state-approved district school administrator program shall consist of a course of study allowing the students to:~~

(1) Demonstrate knowledge of school system curriculum management by:

(A) Demonstrating knowledge of the skills required to assess and evaluate the quality of existing educational programs;

(B) demonstrating knowledge of the skills required to assess curricular needs within a school system; and

(C) demonstrating knowledge of the skills required to direct the development and implementation of learning programs within a school system;

(2) Demonstrate knowledge of school system personnel administration by:

(A) Demonstrating knowledge of the skills required to assess personnel needs of the school system;

(B) demonstrating knowledge of the skills required to recruit staff members appropriate to meet personnel needs at the system-wide level;

(C) demonstrating knowledge of the skills required to develop and implement system-wide policies and procedures for personnel evaluation;

(D) demonstrating knowledge of the skills required to design and implement a system-wide staff development program; and

(E) demonstrating knowledge of the factors and strategies required to create and maintain effective employer-employee relationships;

(3) Demonstrate knowledge of the legal aspects of school system operation by:

(A) Demonstrating knowledge of essential constitutional, statutory, judicial and political issues related to equity for students, school personnel, and patrons; and

(B) demonstrating knowledge of the responsibilities and powers of local school boards and the chief school officer in policy and procedure formulation;

(4) Demonstrate knowledge of finance and business management as it applies to school system administration by:

(A) Demonstrating knowledge of the concepts of adequacy and equity in school finance as related to the development of state finance systems and trends in school finance and school business management;

(B) demonstrating knowledge of Kansas school finance systems and the budget development processes in local school systems; and

(C) demonstrating ability to plan and assess procedures for acquiring and allocating resources, monitoring and reporting expenditures, and maintaining control of school system resources;

(5) Demonstrate knowledge of supportive physical and human resources required to maintain school programs by:

(A) Demonstrating the knowledge required to plan and maintain facilities that meet educational specifications;

(B) demonstrating the knowledge required in planning and implementing a safe, efficient pupil transportation system; and

(C) demonstrating ability to describe and assess ways of meeting the need for required and preferential supportive services for pupils;

(6) Demonstrate acquisition of relevant, desirable field-based experiences by providing evidence that the student's competencies have been formally assessed, and where indicated, reinforced through appropriate field-based experience.

(b) Applicants for a district school administrator endorsement shall be required to meet the requirements of S.B.R. 91-1-32(b).

(e) All persons holding a district school administrator endorsement in effect on the effective date of this regulation may continue to serve as a district school

administrator or elementary and secondary building administrator.

(d) (c) This regulation shall take effect on and after May 1, 1986 July 1, 1989. (Authorized by, and implementing, ~~Kans. Const. Art. Article 6, Sect. Section 2a of the Kansas Constitution~~; effective May 1, 1984; amended March 12, 1986; amended P-\_\_\_\_\_.)

**91-1-131. School counselor.** (a) Each applicant for a school counselor endorsement ~~at the elementary or secondary level~~ shall:

(1) have successfully completed a state-approved graduate degree *school counselor* program that includes coursework and a supervised practicum at the level at which endorsement is sought;

(2) present documentation of two years of teaching experience, ~~or one year of teaching experience and arrangements for a one-year supervised field experience in counseling~~; and

(3) be recommended by a teacher education institution.

(b) ~~Approved programs shall enable students to provisional endorsement.~~

(1) A one-year provisional endorsement of school counselor shall be issued to an applicant who has:

(A) Completed a state-approved graduate degree school counselor program that includes coursework and a supervised practicum at the level for which endorsement is sought;

(B) completed one year of accredited teaching experience;

(C) been recommended by a teacher education institution; and

(D) arranged, with the recommending teacher education institution, for a one-year supervised field experience in school counseling.

(2) Upon completion of the one-year supervised field experience, the applicant shall be issued full endorsement upon submission of:

(A) An application;

(B) the appropriate fee; and

(C) the recommendation of the teacher education institution.

(c) A state-approved school counselor program shall consist of a course of study allowing the students to:

(1) Demonstrate knowledge of the philosophical, historical and social foundations of contemporary educational and counseling practices, preparation standards and professional certification practices.

(2) Demonstrate knowledge of normal and abnormal developmental processes and of social, cultural, racial and ethnic differences by *identifying how*:

(A) ~~Demonstrating an understanding of Developmental tasks and life span psychology as they relate to behavioral and developmental patterns~~; and

(B) ~~demonstrating knowledge of the effects of social, cultural, racial and ethnic differences on effect development.~~

(3) Demonstrate ~~knowledge an understanding of the theories which form the basis of developmental counseling and guidance programs by:~~

(continued)

(A) Demonstrating knowledge of personality and learning theories as they apply to the classroom and life settings;

(B) demonstrating knowledge of counseling theory as it applies to case and crisis management; and

(C) demonstrating knowledge of theoretical concepts as they relate to the counseling interview, career exploration activities, decision-making, and student environment enhancement.

(4) Demonstrate knowledge of assessment tools used to gather data for interpretation in individual and group settings.

(5) Demonstrate knowledge of management and consultation skills necessary for curriculum development, program planning, management and evaluation by:

(A) ~~Demonstrating knowledge of~~ *Identifying* effective leadership concepts, including those related to needs assessment, decision-making processes, program evaluation and the creation of appropriate program climate; and

(B) ~~demonstrating knowledge of, and experience with, selecting and using~~ referral sources and other services outside of the school setting.

(6) Demonstrate the ability to use counseling skills by:

(A) Utilizing counseling theory in case and crisis management;

~~(B)~~ (B) utilizing personality and learning theory in educational and life settings;

~~(C)~~ (C) utilizing theoretical concepts as they relate to the counseling interview, career exploration activities, and student environment enhancement; and,

~~(D)~~ (D) selecting, administering and interpreting assessment tools in individual, group and organizational evaluation.

(d) *This regulation shall take effect on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective January 8, 1982; amended May 1, 1986; amended P-\_\_\_\_\_.)*

**91-1-132a. School psychologist.** (a) Each applicant for a school psychologist endorsement ~~at the preschool, elementary, middle and secondary levels shall have successfully~~ completed a state-approved graduate degree program and a subsequent ~~one-year, full-time,~~ supervised internship in school psychology *for one school year*, and shall be recommended by a teacher education institution.

(b) Approved programs shall require students to complete a course of study allowing the students to acquire:

(1) Knowledge of basic psychological principles, including:

(A) The relationship between biological principles and psychological functioning;

(B) the manner in which concepts of cultural diversity relate to an understanding of individuality;

(C) the difference between normal and abnormal child and adolescent behavior using developmental principles;

(D) techniques for identifying and diagnosing conditions of exceptionality;

(E) concepts and processes related to human learning;

(F) basic research methodology as applicable to school-related problems;

(G) the relationship between social setting and the psychological functioning of children and adolescents; and

(H) an understanding of statistical analysis;

(2) An understanding of the role of a school psychologist as a part of the educational team, including:

(A) Curriculum design and administrative organization in the education of normal and exceptional children;

(B) identifying and demonstrating an understanding of selected instructional and remedial techniques;

(C) the culture, organization, and operation of schools; and

(D) the influence of federal, state and local laws and regulations on education.

(3) Knowledge of learning difficulties ~~with and~~ appropriate assessment strategies, including the ability to:

(A) Conduct comprehensive psycho-educational assessments;

(B) write complete and comprehensive psychological reports; and

(C) describe and demonstrate skills in the use of observational techniques, multidisciplinary resources, and informal data collection;

(4) The ability to develop and implement intervention strategies to deal with educational and psychological problems manifested by children in schools, including the ability to:

(A) Design and implement programs to deal with group and individual problems which interfere with the learning process;

(B) participate in interpersonal communication activities to build consultative relations with children, parents, educators, and others;

(C) participate in interpersonal communication activities to collaborate with others in developing appropriate individualized education programs which include utilization of psychological information;

(D) identify and describe special schools, special services and other agencies which provide resources; and

(E) demonstrate skills in individual and group counseling;

(5) The ability to use evaluation strategies to establish the effectiveness of educational programs in meeting the needs of school children;

(6) Knowledge of professional issues, standards, and ethics in school psychology, including:

(A) the ethical and professional standards for psychologists and school psychologists;

(B) the relationship between laws and court decisions and the practice of school psychology;

(C) different models, concepts and current issues concerning the practice of school psychology; and

(D) state department of education regulatory docu-

ments and guidelines pertaining to the practice of school psychology.

(7) The skills necessary for effective functioning as a student school psychologist in a supervised practicum in a school setting, including the ability to:

(A) Perform the various tasks of a student school psychologist utilizing the competencies above;

(B) demonstrate appropriate ethical and professional standards in school psychology; and

(C) complete an approved work experience program involving all levels of education, preschool through secondary. At least part of the approved work experience shall be obtained in a school setting.

(8) The ability to function effectively as a professional school psychologist in a supervised, full-time internship for one academic year, including the ability to:

(A) Demonstrate ability to assume full responsibility as a practicing school psychologist;

(B) demonstrate appropriate ethical and professional standards in school psychology; and

(C) complete an approved work experience with all levels of education, preschool through secondary, and provide a full range of services and educational experiences for exceptional and regular children. At least 50% of the approved work experience shall be in a school setting.

(c) Provisional endorsement.

(1) Individuals who have completed a state-approved graduate degree school psychologist program shall be eligible for a one-year provisional endorsement *during the internship period* upon the recommendation of the teacher education institution.

(2) Renewal of a provisional endorsement shall be granted on a yearly basis upon submission of an application and fee. The provisional endorsement shall be ~~renewed~~ *converted to a five-year full* endorsement upon completion of ~~two semesters~~ *one school year of a full-time supervised internship in school psychology or two consecutive school years of a half-time supervised internship* and the recommendation of the teacher education institution.

(3) Individuals holding the ~~one-year~~ provisional endorsement shall only be authorized to serve as a school psychologist in an internship capacity.

(d) *This regulation shall take effect on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a), of the Kansas Constitution; effective May 1, 1985; amended P-\_\_\_\_\_.)*

**91-1-149. Principles of technology.** (a) Each applicant for an endorsement in principles of technology shall have completed a state-approved program in principles of technology and shall be recommended by a teacher education institution.

(b) An approved program in principles of technology may follow one of two patterns. It may consist of three workshops, with prerequisite competencies established to be eligible for admission to the program, or the program may be a comprehensive program with all competencies contained in the program.

(1) Approved comprehensive programs shall re-

quire students to complete a course of study allowing the students to demonstrate:

(A) Knowledge of the philosophical and historical foundations of principles of technology;

(B) knowledge of how mechanical devices function and where they are utilized in the work force;

(C) knowledge of how the principles of technology are utilized in a technological society;

(D) knowledge of problem solving techniques;

(E) knowledge of the fundamental concepts of algebra;

(F) knowledge of the fundamental concepts of applied physics;

(G) knowledge of the technology of power, including its sources, generation, and transmission, and the use of powered devices and vehicles;

(H) the ability to set up and utilize equipment outlined in principles of technology laboratory activities; and

(I) the ability to integrate the four energy systems in laboratory activities.

(2) approved programs of three workshops shall require, as prerequisites to admission, that the students demonstrate knowledge of:

(A) The fundamental concepts of algebra;

(B) fundamental concepts of physics; and

(C) knowledge of the technology of power, including its sources, generation, and transmission, and the use of powered devices and vehicles.

(3) Approved programs in the three workshop pattern shall require students to complete a course of study allowing the students to demonstrate:

(A) Knowledge of the philosophical and historical foundations of principles of technology;

(B) knowledge of how mechanical devices function and where they are utilized in the work force;

(C) knowledge of how the principles of technology are utilized in a technical society;

(D) the ability to set up and utilize equipment outlined in principles of technology laboratory activities;

(E) the ability to integrate the four energy systems in laboratory activities; and

(F) knowledge of problem-solving techniques.

(4) provisional endorsement for applicants in the three workshop pattern approved program.

(A) An applicant shall be issued a provisional endorsement, valid for one year upon receiving the recommendation of a teacher education institution and having completed the initial workshop.

(B) provisional endorsement may be renewed for one additional year upon receiving the recommendation of a teacher education institution and completing the second workshop. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

**91-1-150. Certificate renewal based upon military service.** (a) The holder of a Kansas certificate who enters military service during all or part of the period the certificate was valid may be granted a certificate renewal based on military service provided if:

(1) Entry into active military service was made

(continued)

during a time of emergency as determined by the state board of education;

(2) application for renewal is submitted within one year after discharge or separation from military service under honorable conditions; and

(3) length of military service was four years or less.

(b) A certificate renewed on the basis of military service shall be issued as a five-year certificate.

(c) This regulation shall take effect on and after July 1, 1989. (Authorized by and implementing Article 6, Section 2(a) of the Kansas Constitution; effective P-\_\_\_\_\_.)

DR. LEE DROEGEMUELLER  
Commissioner of Education

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