



STATE OF KANSAS

Office of the Attorney General

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

Curt T. Schneider
Attorney General

March 9, 1977

ATTORNEY GENERAL OPINION NO. 77-81

Mr. Henri Fournier
Executive Director
Kansas State Board of Cosmetology
630 Kansas Avenue
Topeka, Kansas 66603

RE: Cosmetology Schools--Course of Instruction

Synopsis: Kansas Administrative Regulation 69-4-8 provides that a student who has missed over 240 hours of instruction due to extenuating circumstances may be readmitted to the school upon proper application and reregistration. Said student may receive credit for two-thirds of the hours earned prior to such interruption of training.

* * *

Dear Mr. Fournier:

You have requested an interpretation of Administrative Regulation 69-4-8. The regulation states that "each school apprentice may be absent for nonextenuating circumstances during the prescribed training periods for a period aggregating not more than forty (40) hours of instruction". Thus, by implication, any absences for non-extenuating circumstances beyond the 40 hour limit would result in dismissal of the student. Absences for extenuating circumstances would not require dismissal.

However, the regulation provides further that "in the event of extenuating circumstances and where the period of interruption is for more than two hundred forty (240) hours of instruction", the board may, upon written application setting forth the circumstances, and upon reregistration, allow the apprentice to re-enter school and continue training. Such apprentice "may receive credit for two-thirds (2/3) of the hours of training completed prior to such interruption of training...." In referring to re-entry of the

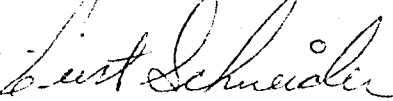
Mr. Henri Fournier
March 9, 1977
Page 2

apprentice to the school, the regulation implies that an apprentice with a total of 240 hours absent from instruction is to be considered as dismissed from school and required to submit the written application, and readmitted to school only on approval of the board.

As to the credit to be given the readmitted student, the regulation is permissive in that it allows the board to give the student credit for two-thirds of the training hours previously completed. It does not require that such credit be given, but it does imply that the maximum allowable credit is two-thirds. The readmitted student must lose credit for one-third of the hours previously completed.

In conclusion, the regulation requires that students absent beyond 40 hours for nonextenuating circumstances, and those absent beyond 240 hours for extenuating circumstances, be considered dismissed from school, except that those in the latter category may be readmitted as discussed above and may be credited with two-thirds of the hours completed prior to the interruption.

Very truly yours,


CURT T. SCHNEIDER
Attorney General

CTS/ERH/cgm