



Policy – Application for Licensure by Felon

Policy Number: 001-12

Approved by the Board: February 13, 2012

Last Updated: January 18, 2012

- I. Purpose
 - a. The purpose of this policy is to provide guidelines for the Board to handle applications for licensure that indicate the applicant has been convicted of a felony.
- II. Authority
 - a. The Board may refuse to issue or renew a license, or revoke, suspend, censure, limit or condition a license for conviction of a felony unless the applicant or licensee is able to demonstrate to the Board's satisfaction that such person has been sufficiently rehabilitated to warrant the public trust. K.S.A. 65-1908(a)(2).
 - b. Kansas Administrative Procedure Act. K.S.A. 77-501, *et seq.*
- III. Policy and Procedures
 - a. All licensees with new felony convictions or first-time applicants are issued a letter requesting documentation including:
 - i. Felony Information Regarding Conviction Form
 - ii. Information Regarding Monitoring Form or Discharge paperwork
 - iii. Certified copies of court documents – charges, convictions, sentencing orders, discharge papers
 - b. Documentation is reviewed and appropriate action is taken
 - i. Applicants under supervision or monitoring are issued a Summary Proceeding Order refusing licensure and are required to request a hearing and appear before the Board Disciplinary Panel to demonstrate they have been sufficiently rehabilitated to warrant the public trust
 - ii. Applicants who have been convicted of a person felony or felony of a sexual nature are issued a Summary Proceeding Order refusing licensure and are required to request a hearing and appear before the Board Disciplinary Panel to demonstrate they have been sufficiently rehabilitated to warrant the public trust
 - iii. Applicants who were released from supervision less than one year prior to the date of application are issued a Summary Proceeding Order refusing licensure and are required to request a hearing and appear before the Board Disciplinary Panel to demonstrate they have been sufficiently rehabilitated to warrant the public trust
 - iv. Applicants who were released from supervision more than one year prior to the date of application are automatically issued a license
 - v. Applicants who fail to submit documentation within 15 days (as requested) are issued a Summary Proceeding Order refusing licensure and are required to request a hearing and appear before the Board Disciplinary Panel to demonstrate they have been sufficiently rehabilitated to warrant the public trust

- c. Licensees under supervision or monitoring or who have been granted conditioned licenses are required to reappear before the Board Disciplinary Panel at every renewal or reapplication
- d. Licensees who have been discharged from supervision are required to continue to mark the felony box on all subsequent documentation, but are not required to reappear before the Board Disciplinary Panel
- e. Licensees with felony convictions that have been expunged are not required to mark the felony box and are not subject to disciplinary action for their felony conviction

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