

Article 1.--EXAMINATIONS

74-1-1. Type of examination. The uniform certified public accountant examination prepared by the American institute of certified public accountants shall be used for all examinations. (Authorized by K.S.A. 1-202 and K.S.A. 1-304, as amended by 2003 HB 2241, § 3; implementing K.S.A. 1-302 and K.S.A. 1-304, as amended by 2003 HB 2241, §3; effective Jan. 1, 1966; amended Nov. 14, 2003.)

74-1-2. Determining and reporting examination grades. (a) Each testing candidate shall be required to pass all test sections of the examination in order to qualify for a certificate.

(b) Each testing candidate shall be required to attain at least a minimum grade established through a psychometrically acceptable, standard-setting procedure approved by the board.

(c) Upon the board's receipt of each candidate's advisory grades from the examination provider, the grades shall be reviewed and may be adopted by the board. The examination grades shall be reported to the testing candidate. (Authorized by K.S.A. 1-202 and K.S.A. 2006 Supp. 1-304, as amended by L. 2007, ch. 97, § 2; implementing K.S.A. 2006 Supp. 1-304, as amended by L. 2007, ch. 97, § 2; effective Jan. 1, 1966; amended Nov. 17, 2000; amended Nov. 14, 2003; amended January 11, 2008.)

74-1-3. Retaking the examination and granting of credits. (a) Each testing candidate shall be deemed to have passed the examination if the candidate obtains credit for passing each of the four test sections. Credit for passing a test section shall be valid from the date of the examination regardless of the date on which the testing candidate receives actual notice of the passing grade.

(b) A testing candidate may take the test sections individually and in any order. Credit for passing any test section shall be valid for 18 months from the date of testing regardless of the number of sections taken or the scores on any failed sections.

(c) Each testing candidate shall pass all four test sections within a rolling 18-month period that begins on the date the first test section passed is taken. If all four test sections are not passed within this 18-month period, credit for any test section passed outside the 18-month period shall expire.

(d) A testing candidate shall not retake a failed section within the same examination window. An examination window shall be a consecutive three-month period comprised of two months in which the examination is offered and one month when the examination is not offered.

(e) Each testing candidate shall retain credit for any test section passed in another state if the credit would have been given if the testing candidate had taken the examination in Kansas.

(f) Notwithstanding subsections (a), (b), and (c), the period of time in which to pass all sections of the examination may be extended by the board upon a showing that the credit was lost by reason of circumstances beyond the testing candidate's control. (Authorized by K.S.A. 1-202 and K.S.A. 2006 Supp. 1-304, as amended by L. 2007, ch. 97, § 2; implementing K.S.A. 2006 Supp. 1-304, as amended by L. 2007, ch. 97, § 2; effective Jan. 1, 1966; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended Jan. 12, 1996; amended Nov. 14, 2003; amended January 11, 2008.)

74-1-4. Transfer of examination credit. An applicant for the certificate of certified public accountant who has passed two (2) or more sections of the uniform certified public accountant examination under the jurisdiction of another state shall be given conditional credit by this board for successfully passing those subjects provided the applicant: (a) Has established residence in Kansas;

(b) Has passed two (2) or more sections of the uniform certified public accountant examination in accordance with K.A.R. 74-1-3, and the grades have been determined by the advisory grading service of the board of examiners of the American institute of certified public accountants; and

(c) At the time of applying to transfer the credit earned in another state the applicant is still eligible to be re-examined in that state except for reason of change of residence. (Authorized by K.S.A. 1-202(a), as amended s 5; effective Jan. 1, 1966; amended May 1, 1982.)

74-1-5. Revoked July 18, 1997.

74-1-6. Refund of examination fees. (a) Any examination fee may be refunded by the board to a testing candidate who is unable to be present for an examination if the board determines that the testing candidate had an acceptable reason for not sitting. Acceptable reasons shall include a documented illness, death in the immediate family, and any other reason that the board determines to be unavoidable.

(b) Each refunded examination fee shall be subject to a 25 percent processing fee. (Authorized by K.S.A. 1-202 and K.S.A. 2006 Supp. 1-304, as amended by L. 2007, ch. 97, § 2; implementing K.S.A. 2006 Supp. 1-304, as amended by L. 2007, ch. 97, § 2; effective July 18, 1997; amended Nov. 14, 2003; amended January 11, 2008.)

74-1-7. Examination security. Scheduled examinations, the grading of examinations, and the issuance of certificates may be postponed by the board for any of the following reasons:

- (a) Breach of examination security;
- (b) unauthorized acquisition or disclosure of the contents of an examination;
- (c) suspected or actual negligence, errors, omissions, or irregularities in conducting examinations; or
- (d) any other reasonable cause or unforeseen circumstance. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-302, as amended by L. 2000, Ch. 81, § 7; effective Nov. 17, 2000.)

74-1-8. Administration of examination; cheating. (a) Either of the following actions by a testing candidate shall invalidate any grade otherwise earned on any test section and may warrant the candidate's summary expulsion from the test site and disqualification from taking the examination for a specified period of time:

- (1) Failing to comply with the testing administrator's instructions; or
 - (2) cheating in applying for or taking the examination.
- (b) The following actions or attempted actions by a testing candidate may be considered cheating:
- (1) Falsifying or misrepresenting educational credentials or other information required for admission to the examination;
 - (2) any communication between testing candidates inside or outside the test site or copying another testing candidate's answers while the examination is in progress;
 - (3) with the exception of persons associated with the examination process, any communication with others inside or outside the test site while the examination is in progress;
 - (4) the substitution of another person to sit in the test site in the stead of a testing candidate;
 - (5) other than those materials provided to the testing candidate as part of the examination, referring to cribnotes, textbooks, or any other materials or electronic media inside or outside the test site while the examination is in progress;
 - (6) violating the nondisclosure prohibitions of the examination or aiding or abetting another in doing so; and
 - (7) retaking or attempting to retake a test section by an individual holding a valid certificate or by a testing candidate who has unexpired credit for having already passed the same test section, unless the individual has been authorized to retake a test section or has been expressly authorized by the board to do so.

(c) If it appears that a testing candidate has failed to comply with the testing site administrator's instructions or that cheating has occurred or is occurring, the testing candidate either may be summarily expelled by the board or its designee or may be moved to a position in the testing center away from other testing candidates.

(d) If the board has reason to believe that a testing candidate either has failed to comply with the testing site administrator's instructions or has cheated on the examination, an investigation and a hearing may be conducted by the board to determine whether the testing candidate will be given credit for any of the test sections and whether the testing candidate will be barred from taking the examination for a specified period of time.

(e) If the board determines that a testing candidate has failed to comply with the testing site administrator's instructions or that cheating occurred but the board allows a testing candidate to take any subsequent examinations, any of the following actions may be taken by the board:

- (1) Admonish the testing candidate;
- (2) seat the testing candidate in a segregated location for the rest of the examination;
- (3) keep a record of the testing candidate's seat location and identifying information as well as the names and identifying information of the testing candidates in close proximity to the candidate; or
- (4) provide information concerning the circumstances of the cheating to the national candidate database, the American institute of certified public accountants, and the testing center.

(f) Other state regulatory boards may be notified by the board of the board's findings and any actions taken against a testing candidate who is refused credit for any test section, disqualified from taking any test section, or barred from taking the examination in the future. (Authorized by K.S.A. 1-202 and K.S.A. 2006 Supp. 1-304, as amended by L. 2007, ch. 97, § 2; implementing K.S.A. 2006 Supp. 1-304, as amended by L. 2007, ch. 97, § 2; effective Nov. 14, 2003; amended January 11, 2008.)