



Blue Valley School District Rules of Procedure Pursuant to Senate Bill 40

Under Kansas Senate Bill No. 40, the Blue Valley Board of Education has authority to take any action, issue any order, or adopt any policy in response to a COVID-19 state of disaster emergency which affects the operation of any school or attendance center of the school district.

An employee, a student or the parent or guardian of a student aggrieved by such an action taken, order issued or policy adopted by the Board of Education in response to the COVID-19 state of disaster emergency may request a hearing by the Board to contest the action within thirty (30) days of the action.

Kansas Senate Bill No. 40 further says the Board of Education may adopt rules of procedure to facilitate the efficient adjudication of any hearing requested pursuant to the law. On April 1, 2021 the Board approved the Superintendent or her designee to serve as hearing officer.

The following rules of procedure are adopted for hearings held under Senate Bill 40.

- 1) A request for hearing should be directed to the Clerk for the Board of Education, and it shall include the following:
 - a. the name of the requester,
 - b. the requester's contact information,
 - c. attendance school,
 - d. name of the aggrieved student, if filed on a student's behalf,
 - e. the specific board action that is grieved,
 - f. date of the contested action, and
 - g. a statement explaining how the action can be more narrowly tailored to respond to the state of disaster emergency addressed by the action under review and suggesting a less restrictive means, if any, to achieve such purpose.
- 2) A request for hearing will be considered received when presented to the Clerk of the Board in writing (physical or electronic) during regular business hours.
- 3) The hearing will be conducted by a hearing officer who will make findings and recommendations to the Board of Education during an open meeting within seven (7) days of the hearing.
- 4) Requests to contest the same action, order, or policy may be consolidated.
- 5) Senate Bill 40 requires that hearings shall be open to the public and may be conducted by electronic audio-visual communication.
- 6) Hearings may be conducted virtually at the discretion of the hearing officer.
- 7) Individuals present for a hearing will be expected to comply with any and all District policies and procedures currently in place.

- 8) Each party will be provided no more than 30 minutes to present their case and specify the requested resolution. Should a consolidation of requests occur, time allotted may be altered at the hearing officer's discretion and as fairness dictates.
- 9) These rules of procedure may be modified by the Superintendent or her designee as necessary.
- 10) A decision regarding the contested action will be made by the Board of Education and communicated to the requester within seven (7) days after the hearing.