

USD 369 Burrton Public Schools Rules of Procedure Pursuant to Senate Bill 40

Kansas Senate Bill No. 40 provides that only the Board of Education has the 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 an action taken, order issued or policy adopted by the Board of Education of the school district, or an action of any employee of the school district violating such action, order or policy of the Board of Education, may request a hearing by the school district's Board of Education to contest the action, order or policy within thirty (30) days after the action, order, or policy adopted by the Board of Education.

Kansas Senate Bill No. 40 further grants the Board of Education authority to adopt rules of procedure to facilitate the efficient adjudication of any hearing requested pursuant to the law.

The following rules of procedure are adopted by the Board of Education

- 1) A request for hearing should be in writing and include the name of the requester, contact information, name of the school involved, name of the aggrieved student, if filed on their behalf, specific action, order or policy in issue, and date of contested action. The school district will make a hearing request form available. All requests for hearing must be hand delivered to the Board Clerk at the 105 E. Lincoln, Burrton, Kansas during regular business hours of 8:00AM-4:00PM.
- 2) The request must specify how the specific action, order or policy in issue could be more narrowly tailored to respond to the disaster emergency addressed by the action, order or policy under review, and suggest less restrictive means, if any, to achieve such purpose.
- 3) A hearing upon a valid request will occur within seventy-two (72) hours from the receipt of the request, unless continued or extended by agreement of the parties.
- 4) The Board of Education hereby appoints the superintendent or designee as a hearing officer if needed to hear the appeal or to facilitate the efficient adjudication of the hearing.
- 5) Requests to contest the same action, order, or policy may be consolidated. Requestors may be limited in time to present their information and may be asked to appoint a single speaker.
- 6) These rules of procedure may be modified by the Board of Education, superintendent or his/her designee during the hearing as necessary.
- 7) If appointed by the Board of Education to conduct the hearing, the hearing officer shall prepare a report for the Board of Education including a recommended decision for the Board to consider.
- 8) 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 is conducted, unless continued or extended by agreement of the parties.