

POLICY BEE

Board of Education Las Cruces Public Schools

Related Entries: BEE-RA
Responsible Office: Board of Education

BOARD HEARINGS/APPEAL PROCEEDINGS

I. PURPOSE

A Board public hearing is typically called for the purpose of adjudicating the rights of individuals and deciding issues within the jurisdiction of the local Board.

II. POSITION

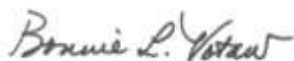
- A. Public hearings required by law or deemed advisable by the Board shall be organized by a special order, which is adopted by a majority vote, that sets forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time of each speaker, etc.
- B. Prior to the beginning of a hearing, the Board President will explain the procedures to be followed. The President or his designee shall call the hearing to order and then preside over it, unless a hearing officer is chosen to preside.
- C. When the allotted time expires or when no one wishes to speak who has not already done so, the President or his designee shall declare the hearing ended.
- D. The specific procedures for most hearings held by the board will be found in statutes or regulations, and must be scrupulously followed. Those procedures, where applicable, will supersede this paragraph and any inconsistent local policy.

III. REVIEW

This policy shall be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

History: New Policy

Legal Reference: *Mathews v. Eldridge*, 424 U.S. 319 (1976); *ERICA, Inc. v. NM Regulation and Licensing Dept., Alcohol and Gaming Div.*, 184 P.3d 444 (N.M. Ct. App. 2008); *Scanlon v. LCPS*, 172 P.3d 185 (N.M. Ct. App. 2007).



Board of Education, President

Oct. 21, 2008

Date Approved