

IN THE SUPREME COURT
OF THE STATE OF KANSAS

Kristen Butler, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 124205
)	
Shawnee Mission School District Board of Education,)	Application to file <i>Amicus Brief</i>
)	
Defendant-Appellee,)	
)	
Attorney General Derek Schmidt,)	
)	
Intervenor-Appellant)	
)	
_____)	

APPLICATION TO FILE AMICUS BRIEF

Kansas Association of School Boards Legal Assistance Fund (“LAF”) hereby requests permission pursuant to Kansas Supreme Court rule 6.06 to file an *amicus* brief in this matter, which considers issues that affect boards of education and boards of college trustees statewide. In support of its application, KASB shows the court the following:

1. LAF provides legal representation and advice to 280 boards of education of Kansas public schools, as well as 31 community colleges, technical colleges and special education cooperatives. In the scope of its representation, LAF has given legal counsel concerning the application of SB 40, its hearing requirements and legal impact on COVID-19 interventions in school operations.

2. The issues raised in this appeal are of tremendous importance to public schools, community colleges, technical colleges, and special education cooperatives as

they endeavor to provide a safe and effective educational environment for public school students and staff while complying with applicable laws. LAF is uniquely situated to comment on the effect of SB 40 on these efforts across a broad spectrum of Kansas public schools.

3. The proposed *amicus* brief provides LAF's insight concerning the continued viability of SB 40, the constitutionality of SB 40, and the deleterious effects of SB 40 on school safety protocols and, as a consequence, schools' efforts to provide a safe environment for public school students and staff.

4. LAF respectfully asks the Court to grant its application and to allow the filing of its *amicus* brief concerning the above-describe issues.

Respectfully submitted,
Kansas Association of School Boards
Legal Assistance Fund

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CERTIFICATE OF SERVICE

I certify that on September 14, 2021, the foregoing was electronically filed using the Clerk of the Court using the Court's electronic filing system, which will send a notice of electronic filing to registered participants, and a copy was electronically mailed to:

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