

1 **101 LEGAL STATUS OF THE SCHOOL DISTRICT**

2
3
4 **I. PURPOSE**

5
6 A primary principle of this nation is that the public welfare demands an educated and informed
7 citizenry. The power to provide for public education is a state function vested in the state
8 legislature and delegated to local school districts. The purpose of this policy is to clarify the legal
9 status of the school district.
10

11 **II. GENERAL STATEMENT OF POLICY**

- 12
13 A. The school district is a public corporation subject to the control of the legislature, limited
14 only by constitutional restrictions. The school district has been created for educational
15 purposes.
16
17 B. The legislature has authority to prescribe the school district's powers and privileges, its
18 boundaries and territorial jurisdictions.
19
20 C. The school district has only the powers conferred on it by the legislature; however, the
21 school board's authority to govern, manage, and control the school district, to carry out
22 its duties and responsibilities, and to conduct the business of the school district includes
23 implied powers in addition to any specific powers granted by the legislature.
24

25 **III. RELATIONSHIP TO OTHER ENTITIES**

- 26
27 A. The school district is a separate legal entity.
28
29 B. The school district is coordinate with and not subordinate to the county(ies) in which it
30 is situated.
31
32 C. The school district is not subservient to municipalities within its territory.
33

34 **IV. POWERS AND AUTHORITY OF THE SCHOOL DISTRICT**

35
36 A. Funds

- 37
38 1. The school district, through its school board, has authority to raise funds for the
39 operation and maintenance of its schools and authority to manage and expend
40 such funds, subject to applicable law.
41
42 2. The school district has wide discretion over the expenditure of funds under its
43 control for public purposes, subject to the limitations provided by law.
44
45 3. School district officials occupy a fiduciary position in the management and
46 expenditure of funds entrusted to them.
47

48 B. Raising Funds

- 49
50 1. The school district shall, within the limitations specified by law, provide by levy
51 of tax necessary funds for the conduct of schools, payment of indebtedness, and
52 all proper expenses.
53
54 2. The school district may issue bonds in accordance with the provisions of
55 Minnesota Statutes, chapter 475, or other applicable law.
56
57 3. The school district has authority to accept gifts and donations for school
58 purposes, subject to applicable law.

C. Property

1. The school district may acquire property for school purposes. It may sell, exchange, or otherwise dispose of property which is no longer needed for school purposes, subject to applicable law.
2. The school district shall manage its property in a manner consistent with the educational functions of the district.
3. The school district may permit the use of its facilities for community purposes which are not inconsistent with, nor disruptive of, its educational mission.
4. School district officials hold school property as trustees for the use and benefit of students, taxpayers, and the community.

D. Contracts

1. The school district is empowered to enter into contracts in the manner provided by law.
2. The school district has authority to enter into installment purchases and leases with an option to purchase, pursuant to Minnesota Statutes, section 465.71 or other applicable law.
3. The school district has authority to make contracts with other governmental agencies and units for the purchase, lease or other acquisition of equipment, supplies, materials, or other property, including real property.
4. The school district has authority to enter into employment contracts. As a public employer, the school district, through its designated representatives, shall meet and negotiate with public employees in an appropriate bargaining unit and enter into written collective bargaining agreements with such employees, subject to applicable law.

E. Textbooks, Educational Materials, and Studies

1. The school district, through its school board and administrators, has the authority to determine what textbooks, educational materials, and studies should be pursued.
2. The school district shall establish and apply the school curriculum.

F. Actions and Suits

The school district has authority to sue and to be sued.

Legal References:

Minn. Const. Art. 13, § 1
Minn. Stat. Ch. 123B (School District Powers and Duties)
Minn. Stat. Ch. 179A (Public Employment Labor Relations)
Minn. Stat. § 465.035 (Public Corporation, Conveyance or Lease of Land)
Minn. Stat. §§ 465.71; 471.345; 471.6161; 471.6175; 471.64 (Rights, Powers, Duties; Municipalities)
Minnesota Association of Public Schools v. Hanson, 287 Minn. 415, 178 N.W.2d 846 (1970)
Independent School District No. 581 v. Mattheis, 275 Minn. 383, 147 N.W.2d 374 (1966)
Village of Blaine v. Independent School District No. 12, 272 Minn. 343, 138

117 N.W.2d 32 (1965)
118 *Huffman v. School Board*, 230 Minn. 289, 41 N.W.2d 455 (1950)
119 *State v. Lakeside Land Co.*, 71 Minn. 283, 73 N.W.970 (1898)
120
121 **Cross References:** ISD 194 Policy 201 (Legal Status of School Board)
122 ISD 194 Policy 603 (Curriculum Development)
123 ISD 194 Policy 606 (Textbooks and Instructional Materials)
124 ISD 194 Policy 704 (Development and Maintenance of an Inventory of Fixed
125 Assets and a Fixed Asset Accounting System)
126 ISD 194 Policy 705 (Investments)
127 ISD 194 Policy 706 (Acceptance of Gifts)
128 ISD 194 Policy 801 (Equal Access to School Facilities)