Legal Status of the School Board

I. Purpose

The care, management, and control of the schools are vested by statutory and constitutional authority in the school board. The board carries out the mission of the school district with diligence, prudence, and dedication to the ideals of providing the finest public education. This policy defines the authority, duties, and powers of the board in carrying out its mission.

II. General Statement of Policy

A. The school board is the governing body of the school district. As such, the board has responsibility for the care, management, and control over public schools in the ~~school~~ district.

B. Generally, elected members of the board have binding authority only when acting as a board legally in session, except where specific authority is provided to board members or officers individually. Generally, the board is not bound by an action or statement on the part of an individual board member unless the action is specifically directed or authorized by the board.

III. Definition

~~A.~~ For purposes of this policy, "~~S~~school board" means the governing body of the school district.

III. Organization and Membership

A. The membership of the school board consists of seven elected directors. The term of office is four years.

B. There may be other ex officio members of the board as provided by law. The superintendent is an ex officio member.

C. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the board.

D. Election of board members is held in accordance with Minnesota law. The general election is held on the first Tuesday after the first Monday of November in ~~odd~~even-numbered years.

E. A vacancy in the board due to a member's death, resignation, or termination of residency in the district is filled by action of the board as provided by state statute.

III. Powers and Duties

A. The school board has powers and duties specified by state law. The board's authority includes implied powers in addition to specific powers granted by the Legislature.

B. The board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.

C. The board directs and manages the schools of the school district; adopts rules for schools' organization, government, and instruction, textbooks, and courses of study; and makes and authorizes contracts.

D. The board has the general charge of the business of the ~~school~~ district, its facilities and property, and of the interest of the schools.

E. The board, among other duties, performs the following in accordance with applicable law:

1. Provides by levy of tax, necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the district.

2. Conducts the business of the schools and pays indebtedness and proper expenses.

3. Employs and contracts with necessary qualified teachers and discharges the same for cause.

4. Provides services to promote the health of its students.

5. Provides school buildings and erects needed buildings.

6. Purchases, sells, and exchanges district property and equipment as deemed necessary by the ~~school~~ board for school purposes.

7. Provides for payment of claims against the district and prosecutes and defends actions by or against the district, in all proper cases.

8. Employs and discharges necessary employees and contracts for other services.

9. Provides for transportation of students to and from school, as governed by state law.

10. Procures insurance against liability of the district, its officers, and employees.

F. The ~~school~~ board, at its discretion, may perform the following:

1. Provides media centers, public evening schools, adult and continuing education programs, summer school programs, online course work, and intersession classes of flexible school year programs.

2. Furnishes school lunches and breakfasts for students and teachers on terms as the board determines.

3. Enters into agreements with one or more other independent districts to provide for agreed-upon educational services.

4. Leases rooms or buildings for school purposes.

5. Authorizes the use of school facilities for community purposes that will not interfere with their use for school purposes.

6. Authorizes co-curricular and extracurricular activities.

7. Receives, for the benefit of the district, bequests, donations, or gifts for any proper purpose.

8. Performs other acts as the board deems to be reasonably necessary or required for the governance of the schools.

Legal References

Minn. Stat. § 123A.22	Cooperative Centers for Vocational Education
Minn. Stat. § 123B.02	General Powers of Independent School Districts
Minn. Stat. § 123B.09	Boards of Independent School Districts
Minn. Stat. § 123B.14	Officers of Independent School Districts
Minn. Stat. § 123B.23	Liability Insurance; Officers and Employees
Minn. Stat. § 123B.49	~~Cocurricular and~~ Extracurricular Activities; Insurance
Minn. Stat. § 123B.51	Schoolhouses and Sites; Uses for School and Nonschool Purposes; Closings
Minn. Stat. § 123B.85	~~Equal Treatment in Transportation~~ Definitions

Jensen v. Indep. Consol. Sch. Dist. No. 85, 160 Minn. 233, 199 N.W. 911 (1924)

Cross References

Policy 101	Legal Status of the School District
Policy 202	School Board Officers
Policy 203	Operation of the School Board
Policy 205	Open Meetings and Closed Meetings

Policy

Adopted	04/16/2007
~~amended~~Revised	10/22/2012
Revised	09/24/2018
Revised	12/12/2022
Rev___	__/__/20__