

Revised July 15, 2022

**Bylaws Policy Compliance Checklist**

**School:**

**Date of Review:**

**Statutory Requirement**

**Statutory Reference**

**Evidence of Compliance**

**Required actions and recommendations:**

If the bylaws establish an annual meeting at which elections take place, the annual meeting is held during the school year on a day when the school is open.

MN §124E.07 Subd. 2

The minimum number of board members is at least five.

MN §124E.07 Subd. 3(a)

The bylaws contain membership criteria for the ongoing board of directors (i.e. parent, teacher, community member).

MN §124E.07 Subd. 3(a)

The bylaws state whether the board structure includes a voting majority of teachers, parents, or community members, or do not indicate a clear majority.

MN §124E.07 Subd. 3(a)

The bylaws outline the process and procedures for changing the board's governance structure.

MN §124E.07 Subd. 4

The process for changing the board's governance structure is consistent with statute.

MN §124E.07 Subd. 4

If the bylaws establish one, the notification timeline for school board elections is at least 30 days before the election.

MN §124E.07 Subd. 5

The bylaws establish eligible voters for board elections (i.e. parents, school staff, board members).

MN §124E.07 Subd. 5

The bylaws establish a process for the election of directors.

MN §124E.07 Subd. 2

The bylaws identify the only school staff to serve as ex-officio members are the chief financial officer and the chief administrator.

MN §124E.07 Subd. 3(a)

The bylaws do not allow any other school staff to serve on the board, in a voting or ex-officio capacity, in a way that is not allowed by statute.

MN §124E.07 Subd. 3(a)

If the bylaws include an indemnification clause, the bylaws do not require the corporation to indemnify a board member who has violated MN §124E.07 Subd. 3(b).

MN §124E.07 Subd. 3(c)

The bylaws provide information about regular and special meetings that complies with MN §13D, Open Meeting Law.

MN §124E.07 Subd. 8

See section below.

The bylaws do not allow proxy voting.

MN §317A.237

The officers include at least president (chair) and treasurer.

MN §317A.301

The bylaws contain a provision for amending or repealing the bylaws.

MN §317A.181 Subd. 1a

Statutory references are correct (i.e. MN §124E rather than §124D.10).

MN §124E

**Recommendation**

**Statutory Reference**

**Evidence of Compliance**

**Required actions and recommendations:**

The bylaws establish if the organization is a membership organization and, if so, the qualifications and classes of members.

MN §317A.181 Subd. 1

The bylaws contain the number establishing a quorum for meetings of voting members.

MN §317A.181 Subd. 1

The bylaws establish that members of the board of directors must be unrelated or otherwise prohibit conflicts of interest.

MN §124E.07 Subd. 3

The bylaws provide a provision for dissolution of the corporation.

MN §124E.10 Subd. 4

The bylaws establish what constitutes a quorum of the board for the transaction of business.

MN §317A.181 Subd. 1

The bylaws contain the appointment and authority of committees.	MN §317A.181 Subd 1		
The bylaws contain the appointment or election, duties, and tenure of officers.	MN §317A.181 Subd. 1		
The bylaws include the time, place, and manner of calling, conducting, and giving notice of board and committee meetings (and notice is consistent with MN §13D.04).	MN §317A.181 Subd. 1 MN §13D.04		
The bylaws require the making of reports and financial statements to members.	MN §317A.181 Subd. 1		
The bylaws indicate conduct of voting (e.g. mail-in voting, electronic balloting, in-person at the annual meeting, etc.).	MN §317A.181 Subd. 1		
The bylaws describe procedures for removing directors, addressing director withdrawal, and filling vacancies.	MN §317A.181 Subd. 2		
The bylaws set the number of votes required for board action.	MN §317A.181 Subd. 2		
The bylaws establish officer roles for the vice president and secretary.			
The bylaws indicate date of approval, enactment, and / or revision.			
The bylaws are signed by the president to indicate the bylaws were adopted by the board as of the date certified.			
<b>MN Stat. §13D, Open Meeting Law Requirements</b>	<b>Statutory Reference</b>	<b>Evidence of Compliance</b>	<b>Required actions and recommendations:</b>
The bylaws indicate that board committees are also subject to MN §13D.	MN §13D.01 Subd. 1		
The bylaws allow for meetings conducted by interactive technology (e.g. Zoom, Teams, etc.).	MN §13D.02		
The bylaws require that, if members are present via interactive technology, all members can hear and see one another and all discussion to be present for quorum.	MN §13D.02 Subd. 1(1)		
The bylaws require that, if members are present via interactive technology, members of the public present at the regular meeting location of the body can hear and see all discussion and all votes.	MN §13D.02 Subd. 1(2)		
The bylaws require that, if members are present via interactive technology, at least one member of the body is physically present at the regular meeting location.	MN §13D.02 Subd. 1(3)		
The bylaws require that, if members are present via interactive technology, all votes are conducted by roll call so each member's vote on each issue can be identified and recorded.	MN §13D.02 Subd. 1(4)		
The bylaws require that, if members are present via interactive technology, each location at which a member is present is open and accessible to the public.	MN §13D.02 Subd. 1(5)		
The bylaws do not allow for meetings via telephone or participation via teleconference.	MN §13D.015 Subd. 1		
The bylaws do not allow for written action by the board (e.g. votes by email).	MN §13D.015 Subd. 1		
The bylaws provide notice of regular and special meetings that complies with statutorily established timelines.	MN §13D.04 Subd. 2		