

**Policy Committee Meeting**  
Duluth Public Schools, ISD 709

Agenda

Tuesday, April 2, 2024

District Services Center

709 Portia Johnson Dr.

Duluth, MN 55811

3:30 PM

1. **AGENDA ITEMS**
2. **POLICIES FOR FIRST READING**
  - A. 201 Legal Status of the School Board (Deletion of 8000 Goal and Functions of the School Board & 9090 Quorum for Meetings) 2
  - B. 203 Operation of the School Board - Governing Rules 10
  - C. 203.1 School Board Procedures; Rules of Order 12
  - D. 203.6 Consent Agendas 14
3. **POLICIES FOR SECOND READING - None**
4. **POLICIES FOR REVIEW**
  - A. 202 School Board Officers 15
  - B. 203.2 Order of the Regular School Board Meeting Bylaw 21
  - C. 203.5 School Board Meeting Agenda Bylaw 25
5. **REGULATIONS - Informational**
  - A. 203.2R Order of the Regular School Board Meeting (change number & re-name to 203.6R Consent Agenda) 29
6. **OTHER**

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 201  
Orig. 1995  
Rev. 2022

Revised: \_\_\_\_\_

## 201 LEGAL STATUS OF THE SCHOOL BOARD

### I. PURPOSE

The care, management, and control of the schools is vested by statutory and constitutional authority in the school board. The school board shall carry out the mission of the school district with diligence, prudence, and dedication to the ideals of providing the finest public education. The purpose of this policy is to define the authority, duties, and powers of the school 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 school board has responsibility for the care, management, and control over public schools in the school district.
- B. Generally, elected members of the school board have binding authority only when acting as a school board legally in session, except where specific authority is provided to school board members or officers individually. Generally, the school board is not bound by an action or statement on the part of an individual school board member unless the action is specifically directed or authorized by the school board.

### III. DEFINITION

"School board" means the governing body of the school district.

### IV. ORGANIZATION AND MEMBERSHIP

- A. The membership of the school board consists of ~~six~~ **seven** elected ~~directors~~ members, ~~or seven if the school board has submitted the question to the electors and a majority have approved a seven-member school board. The term of office is four years.~~

***[Note: This number may be different for combining or consolidating school boards that are in a transition period.]***

- B. There may be other ex officio members of the school 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 school board.

### V. POWERS AND DUTIES

- A. The school board has powers and duties specified by statute. The school board's authority includes implied powers in addition to specific powers granted by the legislature.
- B. The school board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The school board shall superintend and manage the schools of the school district; adopt rules for their organization, government, and instruction; prescribe textbooks

and courses of study; and make and authorize contracts.

- D. The school board shall have the general charge of the business of the school district, its facilities and property, and of the interest of the schools.
- E. The school board, among other duties, shall perform the following in accordance with applicable law:
  1. provide by levy of tax, necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the school district;
  2. conduct the business of the schools and pay indebtedness and proper expenses;
  3. employ and contract with necessary qualified teachers and discharge the same for cause;
  4. provide services to promote the health of its pupils;
  5. provide school buildings and erect needed buildings;
  6. purchase, sell, and exchange school district property and equipment as deemed necessary by the school board for school purposes;
  7. provide for payment of claims against the school district, and prosecute and defend actions by or against the school district, in all proper cases;
  8. employ and discharge necessary employees and contract for other services;
  9. provide for transportation of pupils to and from school, as governed by statute; and
  10. procure insurance against liability of the school district, its officers, and employees.
- F. The school board, at its discretion, may perform the following:
  1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs, and intersession classes of flexible school year programs;
  2. furnish school lunches for pupils and teachers on such terms as the school board determines;
  3. enter into agreements with one or more other independent school districts to provide for agreed upon educational services;
  4. lease rooms or buildings for school purposes;
  5. authorize the use of school facilities for community purposes that will not interfere with their use for school purposes;
  6. authorize cocurricular and extracurricular activities;
  7. receive, for the benefit of the school district, bequests, donations, or gifts for any proper purpose; and
  8. perform other acts as the school board shall deem 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 (Definitions)  
*Jensen v. Indep. Consol. Sch. Dist. No. 85*, 160 Minn. 233 (1924)

**Cross References:** MSBA/MASA Model Policy 101 (Legal Status of the School District)  
 MSBA/MASA Model Policy 202 (School Board Officers)  
 MSBA/MASA Model Policy 203 (Operation of the School Board -Governing Rules)  
 MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)

First Reading:

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 201  
Orig. 1995  
Rev.

Revised: \_\_\_\_\_  
2022

## **201 LEGAL STATUS OF THE SCHOOL BOARD**

### **I. PURPOSE**

The care, management, and control of the schools is vested by statutory and constitutional authority in the school board. The school board shall carry out the mission of the school district with diligence, prudence, and dedication to the ideals of providing the finest public education. The purpose of this policy is to define the authority, duties, and powers of the school 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 school board has responsibility for the care, management, and control over public schools in the school district.
- B. Generally, elected members of the school board have binding authority only when acting as a school board legally in session, except where specific authority is provided to school board members or officers individually. Generally, the school board is not bound by an action or statement on the part of an individual school board member unless the action is specifically directed or authorized by the school board.

### **III. DEFINITION**

"School board" means the governing body of the school district.

### **IV. ORGANIZATION AND MEMBERSHIP**

- A. The membership of the school board consists of six elected directors, or seven if the school board has submitted the question to the electors and a majority have approved a seven-member school board. The term of office is four years.

***[Note: This number may be different for combining or consolidating school boards that are in a transition period.]***

- B. There may be other ex officio members of the school 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 school board.

### **V. POWERS AND DUTIES**

- A. The school board has powers and duties specified by statute. The school board's authority includes implied powers in addition to specific powers granted by the legislature.
- B. The school board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The school board shall superintend and manage the schools of the school district;

adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts.

- D. The school board shall have the general charge of the business of the school district, its facilities and property, and of the interest of the schools.
- E. The school board, among other duties, shall perform the following in accordance with applicable law:
  1. provide by levy of tax, necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the school district;
  2. conduct the business of the schools and pay indebtedness and proper expenses;
  3. employ and contract with necessary qualified teachers and discharge the same for cause;
  4. provide services to promote the health of its pupils;
  5. provide school buildings and erect needed buildings;
  6. purchase, sell, and exchange school district property and equipment as deemed necessary by the school board for school purposes;
  7. provide for payment of claims against the school district, and prosecute and defend actions by or against the school district, in all proper cases;
  8. employ and discharge necessary employees and contract for other services;
  9. provide for transportation of pupils to and from school, as governed by statute; and
  10. procure insurance against liability of the school district, its officers, and employees.
- F. The school board, at its discretion, may perform the following:
  1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs, and intersession classes of flexible school year programs;
  2. furnish school lunches for pupils and teachers on such terms as the school board determines;
  3. enter into agreements with one or more other independent school districts to provide for agreed upon educational services;
  4. lease rooms or buildings for school purposes;
  5. authorize the use of school facilities for community purposes that will not interfere with their use for school purposes;
  6. authorize cocurricular and extracurricular activities;
  7. receive, for the benefit of the school district, bequests, donations, or gifts for any proper purpose; and

8. perform other acts as the school board shall deem 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 (Extracurricular Activities; Insurance)  
 Minn. Stat. § 123B.51 (Schoolhouses and Sites; Uses for School and Nonschool Purposes; Closings)  
 Minn. Stat. § 123B.85 (Definitions)  
*Jensen v. Indep. Consol. Sch. Dist. No. 85*, 160 Minn. 233 (1924)

**Cross References:** MSBA/MASA Model Policy 101 (Legal Status of the School District)  
 MSBA/MASA Model Policy 202 (School Board Officers)  
 MSBA/MASA Model Policy 203 (Operation of the School Board -Governing Rules)  
 MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)

First Reading:

## ~~8000 GOAL AND FUNCTIONS OF THE SCHOOL BOARD~~

~~The goal of the School Board is to maintain a comprehensive set of quality educational programs and services for the school age youth of the School District that is both economically and operationally efficient and within the scope of the community's ability to support it. To achieve such a goal, the School Board recognizes the following functions as those to which it must most aggressively direct its attention:~~

- ~~1. The selection of a chief administrator, the Superintendent.~~
- ~~2. The establishment of policies and procedures by which the schools are administered.~~
- ~~3. The adoption of the budget and the enactment of provisions for the financing of the schools.~~
- ~~4. The acquisition and development of necessary property and the provision of supplies.~~
- ~~5. The appointment of necessary personnel to staff the varied services.~~
- ~~6. The appraisal of the work of the schools and adoption of plans for improvement and expansion.~~

~~Adopted: 10-09-1973 ISD-709~~

~~Revised: 06-20-1995 ISD-709~~

## ~~9090 QUORUM FOR MEETINGS~~

~~At any regular or special meeting of the School Board, a majority of the membership of the School Board shall constitute a quorum. Action of the School Board shall be official only if a quorum is present.~~

~~Adopted: 06-09-1970 ISD-709~~

~~Revised: 07-20-1976~~

~~05-12-1987~~

~~06-20-1995 ISD-709~~

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 203

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2009

## **203 OPERATION OF THE SCHOOL BOARD – GOVERNING RULES**

### **I. PURPOSE**

The purpose of this policy is to provide governing rules for the conduct of meetings of the school board.

### **II. GENERAL STATEMENT OF POLICY**

An orderly school board meeting allows school board members to participate in discussion and decision of school district issues. Rules of order allow school board members the opportunity to review school-related topics, discuss school business items, and bring matters to conclusion in a timely and consistent manner.

### **III. RULES OF ORDER**

Rules of order for school board meetings shall be as follows:

- A. Minnesota statutes where specified;
- B. Specific rules of order as provided by the school board consistent with Minnesota statutes; and
- C. *Robert's Rules of Order* (latest edition) where not inconsistent with A. and B., above.

***[Note: The editions of Robert's Rules of Order differ, so specifying the edition used is important.]***

**Legal References:** Minn. Stat. Ch. 13D (Open Meeting Law)  
Minn. Stat. § 123B.09, Subds. 6, 7, and 10 (Boards of Independent School Districts)  
Minn. Stat. § 123B.14 (Officers of Independent School Districts)

**Cross References:** None

First Reading:

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 203

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2009

## **203 OPERATION OF THE SCHOOL BOARD – GOVERNING RULES**

### **I. PURPOSE**

The purpose of this policy is to provide governing rules for the conduct of meetings of the school board.

### **II. GENERAL STATEMENT OF POLICY**

An orderly school board meeting allows school board members to participate in discussion and decision of school district issues. Rules of order allow school board members the opportunity to review school-related topics, discuss school business items, and bring matters to conclusion in a timely and consistent manner.

### **III. RULES OF ORDER**

Rules of order for school board meetings shall be as follows:

- A. Minnesota statutes where specified;
- B. Specific rules of order as provided by the school board consistent with Minnesota statutes; and
- C. *Robert's Rules of Order* (latest edition) where not inconsistent with A. and B., above.

***[Note: The editions of Robert's Rules of Order differ, so specifying the edition used is important.]***

**Legal References:** Minn. Stat. Ch. 13D (Open Meeting Law)  
Minn. Stat. § 123B.09, Subds. 6, 7, and 10 (Boards of Independent School Districts)  
Minn. Stat. § 123B.14 (Officers of Independent School Districts)

**Cross References:** None

First Reading:

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 203.1

Orig. 1997

Revised: \_\_\_\_\_

Rev. 1999

## **203.1 SCHOOL BOARD PROCEDURES; RULES OF ORDER**

### **I. PURPOSE**

The purpose of this policy is to provide specific rules of order to conduct meetings of the school board.

### **II. GENERAL STATEMENT OF POLICY**

To ensure that school board meetings are conducted in an orderly fashion, the school board will follow rules of order which will allow the school board:

- A. To establish guidelines by which the business of the school board can be conducted in a regular and internally consistent manner;
- B. To organize the meetings so all necessary matters can be brought to the school board and decisions of the school board can be made in an orderly and reasonable manner;
- C. To insure that members of the school board have the necessary information to make decisions on substantive issues and to insure adequate discussion of decisions to be made; and
- D. To insure that meetings and actions of the school board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

### **III. RULES OF ORDER**

- A. School board members need not rise to gain the recognition of the chair.
- B. A motion will be adopted or carried if it receives the affirmative votes of a majority of those actually voting on the matter. Abstentions are considered to be acquiescence to the vote of the majority. It should be noted that some motions by statute or Robert's Rules of Order require larger numbers of affirmative votes.
- C. All motions that require a second shall receive a second prior to opening the issue for discussion of the school board. If a motion that requires a second does not receive a second, the chair may declare that the motion fails for lack of a second or may provide the second. The names of the members making and seconding a motion shall be recorded in the minutes.
- D. The chair shall decide the order in which school board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions if appropriate to the discussion. A member shall only speak to an issue after the member is recognized by the chair.
- E. The chair shall rule on all questions relating to motions and points of order brought before the school board.
- F. A ruling by the chair is subject to appeal to the full school board pursuant to Robert's Rules of Order.

- G. The school board shall have authority to recognize any member of the audience regarding a request to be heard at the school board meeting. Members of the public who wish to be heard shall follow school board procedures.
- H. The chair has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting or for any other necessary purpose.
- I. The chair shall repeat a motion or the substance of a motion prior to the vote. The chair shall call for an affirmative and a negative vote on all motions.
- J. The order in which names will be called for roll call votes will be determined by the school board.

***[Note: The school board may choose to include in the policy a method of calling the roll.]***

- K. The chair has the same right and responsibility as each school board member to vote on all issues.
- L. The chair shall announce the result of each vote. The vote of each member, including abstentions, shall be recorded in the minutes. If the vote is unanimous, it may be reflected as unanimous in the minutes if the minutes also reflect the members present.
- M. A majority of the voting members of the school board constitute a quorum. The absence of a quorum may be raised by the chair or any member. Generally, any action taken in the absence of a quorum is null and void. The only legal actions the school board may take in the absence of a quorum are to fix the time at which to adjourn, to adjourn, to recess or to take measures to obtain a quorum.

***[Note: In addition, school boards may have other rules or local customs they wish to incorporate to reflect their normal processes and procedures.]***

**Legal References:** Minn. Stat. § 13D.01, Subd. 4 (Open Meeting Law)  
Minn. Stat. § 122A.40 (Employment; Contracts; Termination)  
Minn. Stat. § 123B.09, Subds. 6 and 7 (Boards of Independent School Districts)  
Minn. Stat. § 126C.53 (Enabling Resolution; Form of Certificates of Indebtedness)  
Minn. Stat. § 331A.01, Subd. 6 (Newspapers; Definitions)  
Minn. Stat. § 331A.04, Subd. 6 (Newspapers; Exception to Designation Priority)  
Minn. Stat. § 471.88 (Exceptions)

**Cross References:** MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)  
MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)  
MSBA/MASA Model Policy 207 (Public Hearings)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 203.6

Orig. 1997

Revised: \_\_\_\_\_

Rev. 1999

## **203.6 CONSENT AGENDAS**

### **I. PURPOSE**

The purpose of this policy is to allow the use of a consent agenda.

### **II. GENERAL STATEMENT OF POLICY**

In order for a more efficient administration of school board meetings, the school board may elect to use a consent agenda for the passage of noncontroversial items or items of a similar nature.

### **III. CONSENT AGENDAS**

- A. The superintendent, in consultation with the school board chair, may place items on the consent agenda. By using a consent agenda, the school board has consented to the consideration of certain items as a group under one motion. Should a consent agenda be used, an appropriate amount of discussion time will be allowed to review any item upon request.
- B. Consent items are those which usually do not require discussion or explanation prior to school board action, are noncontroversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation. Such agenda items might include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, approval of reports, etc. These items might also include similar groups of decisions such as, but not limited to, approval of staff contracts, approval of maintenance details for the school district buildings and grounds or approval of various schedules.
- C. Items shall be removed from the consent agenda by a timely request by an individual school board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the school board. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda.
- D. Consent agenda items are approved en masse by one vote of the school board. The consent agenda items shall be separately recorded in the minutes.

**Legal References:** Minn. Stat. § 123B.09, Subd. 7 (Boards of Independent School Districts)

**Cross References:** MSBA/MASA Model Policy 203.2 (Order of the Regular School Board Meeting)  
MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)  
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)

## **202 SCHOOL BOARD OFFICERS BYLAW**

### **I. PURPOSE**

School board officers are charged with the duty of carrying out the responsibilities entrusted to them for the care, management, and control of the public schools of the school district. The purpose of this policy is to delineate those responsibilities.

### **II. GENERAL STATEMENT OF POLICY**

- A. The school board shall meet annually and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. At its option, the school board may appoint a vice-chair to serve in the temporary absence of the chair.
- B. The school board shall appoint a superintendent who shall be an ex officio, nonvoting member of the school board.

### **III. ORGANIZATION**

The school board shall meet annually on the first Monday in January, or as soon thereafter as practicable, and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. These officers shall hold office for one year and until their successors are elected and qualify.

- A. The persons who perform the duties of clerk and treasurer need not be members of the school board.
- B. The school board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the office of business affairs.

### **IV. OFFICER'S RESPONSIBILITIES**

- A. Chair
  - 1. The chair when present shall preside at all meetings of the school board, countersign all orders upon the treasurer for claims allowed by the school board, represent the school district in all actions, and perform all duties a chair usually performs.
  - 2. In case of absence, inability, or refusal of the clerk to draw orders for the payment of money authorized by a vote of the majority of the school board to be paid, the chair may draw the orders, or the office of the clerk may be declared vacant by the chair and treasurer and filled by appointment.
- B. Treasurer
  - 1. The treasurer, or designee, shall deposit the funds of the school district in the official depository.
  - 2. The treasurer, or designee, shall make all reports which may be called for by the school board and perform all duties a treasurer usually performs.
  - 3. In the event there are insufficient funds on hand to pay valid orders presented to the treasurer, the treasurer, or designee, shall receive, endorse, and process the orders in accordance with Minn. Stat. § 123B.12.

C. Clerk

1. The clerk, or designee, shall keep a record of all meetings in the books provided.
2. Within three days after an election, the clerk, or designee, shall notify all persons elected of their election.
3. On or before September 15 of each year, the clerk , or designee, shall:
  - a. file with the school board a report of the revenues, expenditures, and balances in each fund for the preceding fiscal year.
  - b. make and transmit to the commissioner certified reports, showing:
    - (1) revenues and expenditures in detail, and such other financial information required by law, rule, or as may be called for by the commissioner;
    - (2) length of school term and enrollment and attendance by grades; and
    - (3) other items of information as called for by the commissioner.
4. The clerk, or designee, shall enter into the clerk's record book copies of all reports and of the teachers' term reports, and of the proceedings of any meeting, and keep an itemized account of all expenses of the school district.
5. The clerk, or designee, shall furnish to the county auditor, on or before September 30 of each year, an attested copy of the clerk's record, showing the amount of proposed property tax voted by the school district or the school board for school purposes.
6. The clerk, or designee, shall draw and sign all orders upon the treasurer for the payment of money for bills allowed by the school board for salaries of officers and for teachers' wages and all claims, to be countersigned by the chair.
7. The clerk shall perform such duties as required by the Minnesota Election Law or other applicable laws relating to the conduct of elections.
8. The clerk shall perform the duties of the chair in the event of the chair's and the vice-chair's temporary absences.

D. Vice-Chair

The vice-chair shall perform the duties of the chair in the event of the chair's temporary absence.

E. Superintendent

1. The superintendent shall be an ex officio, nonvoting member of the school board.

2. The superintendent shall perform the following:
  - a. visit and supervise the schools in the school district, report and make recommendations about their condition when advisable or on request by the school board;
  - b. recommend to the school board employment and dismissal of teachers;
  - c. annually evaluate each school principal assigned responsibility for supervising a school building within the district;
  - d. superintend school grading practices and examinations for promotions;
  - e. make reports required by the commissioner; and
  - f. perform other duties prescribed by the school board.

**Legal References:** Minn. Stat. § 123B.12 (Finance ~~Insufficient Funds to Pay Orders~~)  
 Minn. Stat. § 123B.14 (Officers ~~of Independent School Districts~~)  
 Minn. Stat. § 123B.143 (Superintendent)  
 Minn. Stat. § 126C.17 (Referendum Revenue)  
 Minn. Stat. Ch. 205A (School District Elections)

**Cross References:** MSBA/MASA Model Policy 101 (Legal Status of the School District)  
 MSBA/MASA Model Policy 201 (Legal Status of the School Board)  
 MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
 MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties

Replacing: Policies 8095, 9015, 9050, 9055 and 9060  
 First Reading: 04-17-2018  
 Adopted: 05-15-2018

## **202 SCHOOL BOARD OFFICERS BYLAW**

### **I. PURPOSE**

School board officers are charged with the duty of carrying out the responsibilities entrusted to them for the care, management, and control of the public schools of the school district. The purpose of this policy is to delineate those responsibilities.

### **II. GENERAL STATEMENT OF POLICY**

- A. The school board shall meet annually and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. At its option, the school board may appoint a vice-chair to serve in the temporary absence of the chair.
- B. The school board shall appoint a superintendent who shall be an ex officio, nonvoting member of the school board.

### **III. ORGANIZATION**

The school board shall meet annually on the first Monday in January, or as soon thereafter as practicable, and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the school board. These officers shall hold office for one year and until their successors are elected and qualify.

- A. The persons who perform the duties of clerk and treasurer need not be members of the school board.
- B. The school board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the office of business affairs.

### **IV. OFFICER'S RESPONSIBILITIES**

- A. Chair
  - 1. The chair when present shall preside at all meetings of the school board, countersign all orders upon the treasurer for claims allowed by the school board, represent the school district in all actions, and perform all duties a chair usually performs.
  - 2. In case of absence, inability, or refusal of the clerk to draw orders for the payment of money authorized by a vote of the majority of the school board to be paid, the chair may draw the orders, or the office of the clerk may be declared vacant by the chair and treasurer and filled by appointment.
- B. Treasurer
  - 1. The treasurer, or designee, shall deposit the funds of the school district in the official depository.
  - 2. The treasurer, or designee, shall make all reports which may be called for by the school board and perform all duties a treasurer usually performs.
  - 3. In the event there are insufficient funds on hand to pay valid orders presented to the treasurer, the treasurer, or designee, shall receive, endorse, and process the orders in accordance with Minn. Stat. § 123B.12.

C. Clerk

1. The clerk, or designee, shall keep a record of all meetings in the books provided.
2. Within three days after an election, the clerk, or designee, shall notify all persons elected of their election.
3. On or before September 15 of each year, the clerk , or designee, shall:
  - a. file with the school board a report of the revenues, expenditures, and balances in each fund for the preceding fiscal year.
  - b. make and transmit to the commissioner certified reports, showing:
    - (1) revenues and expenditures in detail, and such other financial information required by law, rule, or as may be called for by the commissioner;
    - (2) length of school term and enrollment and attendance by grades; and
    - (3) other items of information as called for by the commissioner.
4. The clerk, or designee, shall enter into the clerk's record book copies of all reports and of the teachers' term reports, and of the proceedings of any meeting, and keep an itemized account of all expenses of the school district.
5. The clerk, or designee, shall furnish to the county auditor, on or before September 30 of each year, an attested copy of the clerk's record, showing the amount of proposed property tax voted by the school district or the school board for school purposes.
6. The clerk, or designee, shall draw and sign all orders upon the treasurer for the payment of money for bills allowed by the school board for salaries of officers and for teachers' wages and all claims, to be countersigned by the chair.
7. The clerk shall perform such duties as required by the Minnesota Election Law or other applicable laws relating to the conduct of elections.
8. The clerk shall perform the duties of the chair in the event of the chair's and the vice-chair's temporary absences.

D. Vice-Chair

The vice-chair shall perform the duties of the chair in the event of the chair's temporary absence.

E. Superintendent

1. The superintendent shall be an ex officio, nonvoting member of the school board.

2. The superintendent shall perform the following:
  - a. visit and supervise the schools in the school district, report and make recommendations about their condition when advisable or on request by the school board;
  - b. recommend to the school board employment and dismissal of teachers;
  - c. annually evaluate each school principal assigned responsibility for supervising a school building within the district;
  - d. superintend school grading practices and examinations for promotions;
  - e. make reports required by the commissioner; and
  - f. perform other duties prescribed by the school board.

**Legal References:** Minn. Stat. § 123B.12 (Finance)  
 Minn. Stat. § 123B.14 (Officers)  
 Minn. Stat. § 123B.143 (Superintendent)  
 Minn. Stat. § 126C.17 (Referendum Revenue)  
 Minn. Stat. Ch. 205A (School District Elections)

**Cross References:** MSBA/MASA Model Policy 101 (Legal Status of the School District)  
 MSBA/MASA Model Policy 201 (Legal Status of the School Board)  
 MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
 MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties

Replacing: Policies 8095, 9015, 9050, 9055 and 9060  
 First Reading: 04-17-2018  
 Adopted: 05-15-2018

## 203.2 ORDER OF THE REGULAR SCHOOL BOARD MEETING BYLAW

### I. PURPOSE

The purpose of this ~~Bylaw~~ Policy is to ensure consistency in the order of business at regular school board meetings.

### II. GENERAL STATEMENT OF ~~BYLAW~~ POLICY

It is the policy of the school board to consider matters that come before it in a consistent and orderly manner.

### III. ORDER

A. The school board shall conduct an orderly school board meeting. The school board will, at all regular school board meetings, follow an agenda order as follows:

#### 1. Call To Order

~~1~~ 2. Roll Call

~~2~~ 3. Pledge of Allegiance

~~3~~ 4. Approval of the Agenda

~~4~~ 5. School and Community Recognition

~~5. Audience~~

6. Report of the Superintendent

7. Report of Standing Committees:

a. ~~Education Committee~~ Monthly Committee of the Whole

b. Human Resources/~~Business Services~~ Committee

c. ~~Business Committee~~ Policy Committee

8. General Board Committee Updates

~~8~~ 9. Approval of Consent Agenda

10. Resolutions from Committee Reports

~~9~~ 11. Special Resolutions and Action Items

~~10~~ 12. Questions/Other

~~11~~ 13. Adjournment

B. Items in this order may be considered as part of a consent agenda.

C. The school board may depart from the order of business with the consent of the majority of members present.

D. Any question of order arising, not provided for in these Bylaws, shall be decided according to parliamentary rules for the government of deliberative bodies, as defined by Robert's Rules of Order, ~~Newly Revised~~ Latest Addition.

**Legal References:** Minn. Stat. § 123B.09, Subd. 7 (~~School Board Powers~~ Boards of Independent School Districts)

**Cross References:** MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)  
MSBA/MASA Model Policy 203.6 (Consent Agendas)

Replacing: Policy 9095  
First Reading: 01-19-2016  
Adopted: 02-23-2016 ISD709  
Updated: 02-27-2018  
Revised: 12-17-2019

## 203.2 ORDER OF THE REGULAR SCHOOL BOARD MEETING BYLAW

### I. PURPOSE

The purpose of this Bylaw is to ensure consistency in the order of business at regular school board meetings.

### II. GENERAL STATEMENT OF BYLAW

It is the policy of the school board to consider matters that come before it in a consistent and orderly manner.

### III. ORDER

A. The school board shall conduct an orderly school board meeting. The school board will, at all regular school board meetings, follow an agenda order as follows:

**1. Call To Order**

~~1~~ 2. Roll Call

~~2~~ 3. Pledge of Allegiance

~~3~~ 4. Approval of the Agenda

~~4~~ 5. School and Community Recognition

~~5. Audience~~

6. Report of the Superintendent

7. Report of Standing Committees:

a. ~~Education Committee~~ Monthly Committee of the Whole

b. Human Resources/~~Business Services~~ Committee

c. ~~Business Committee~~ Policy Committee

**8. General Board Committee Updates**

~~8~~ 9. Approval of Consent Agenda

**10. Resolutions from Committee Reports**

~~9~~ 11. Special Resolutions **and Action Items**

~~10~~ 12. Questions/Other

~~11~~ 13. Adjournment

B. Items in this order may be considered as part of a consent agenda.

C. The school board may depart from the order of business with the consent of the majority of members present.

D. Any question of order arising, not provided for in these Bylaws, shall be decided according to parliamentary rules for the government of deliberative bodies, as defined by Robert's Rules of Order, Newly Revised.

**Legal References:** Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)

**Cross References:** MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)  
MSBA/MASA Model Policy 203.6 (Consent Agendas)

Replacing: Policy 9095  
First Reading: 01-19-2016  
Adopted: 02-23-2016 ISD709  
Updated: 02-27-2018  
Revised: 12-17-2019

## 203.5 SCHOOL BOARD MEETING AGENDA BYLAW

### I. PURPOSE

The purpose of this **Bylaw Policy** is to provide procedures for the preparation of the school board meeting agenda to ensure that the school board can accomplish its business as efficiently and expeditiously as possible.

### II. GENERAL STATEMENT OF BYLAW POLICY

The policy of the school board is that school board meetings shall be conducted in a manner to allow the school board to accomplish its business while allowing reasoned debate and discussion of each matter to be acted upon.

### III. PROCEDURES

- A. While all school board members may provide input, it shall be the responsibility of the school board chair, clerk and superintendent to develop, prepare, and arrange the order of items for the tentative school board meeting agenda for each school board meeting.
- B. Persons wishing to place an item on the agenda must make a request to the school board chair, clerk or superintendent in a timely manner. The person making the request is encouraged to state the person's name, address, purpose of the item, action desired, and pertinent background information. The chair, clerk and superintendent shall determine whether to place the matter on the tentative agenda.

Upon the written request of three board members, delivered to the chair no later than the Friday before an agenda setting session, an item will be placed on the agenda at the following meeting or a meeting soon thereafter, as agreed upon by those involved.

- C. The tentative agenda and supporting documents shall be sent electronically to the school board members at least three days prior to the regularly scheduled school board meeting, and as soon as practicable for Special and Emergency meetings. It shall be the intent of the School Board to be fully informed before making decisions.
- D. Items may only be added to the agenda by a motion adopted at a board meeting. If an added item is acted upon, the minutes of the school board meeting shall include a description of the matter.
- E. At least one copy of any printed materials, including electronic communications, relating to the agenda items of the meeting prepared or distributed by or at the direction of the school board or its employees and: (i) distributed at the meeting to all members of the governing body; (ii) distributed before the meeting to all members; or (iii) available in the meeting room to all members, shall be available in the meeting room for inspection by the public while the school board considers their subject matter. This does not apply to materials classified by law as other than public or to materials relating to the agenda items of a closed meeting.

**Legal References:** Minn. Stat. § 13D.01, Subd. 6 (Open Meeting Law)  
 Minn. Stat. § 123B.09, Subd. 7 (**School Boards Powers of Independent School Districts**)  
 Dept. of Admin. Advisory Op. No. 10-013 (April 29, 2010)  
 Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)  
**Dept. of Admin Advisory Op. No. 12-015 (Decemer 23, 2013)**

**Cross References:** MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
MSBA/MASA Model Policy 203.2 (Order of the Regular School Board Meeting)  
MSBA/MASA Model Policy 203.6 (Consent Agendas)  
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)  
MSBA/MASA Model Policy 207 (Public Hearings)

Replacing: Policies 8085, 8100, 9075, 9080, 9095  
First Reading: 01-19-2016  
Adopted: 02-23-2016 ISD709  
Updated: 02-27-2018

## 203.5 SCHOOL BOARD MEETING AGENDA BYLAW

### I. PURPOSE

The purpose of this Bylaw is to provide procedures for the preparation of the school board meeting agenda to ensure that the school board can accomplish its business as efficiently and expeditiously as possible.

### II. GENERAL STATEMENT OF BYLAW

The policy of the school board is that school board meetings shall be conducted in a manner to allow the school board to accomplish its business while allowing reasoned debate and discussion of each matter to be acted upon.

### III. PROCEDURES

- A. While all school board members may provide input, it shall be the responsibility of the school board chair, clerk and superintendent to develop, prepare, and arrange the order of items for the tentative school board meeting agenda for each school board meeting.
- B. Persons wishing to place an item on the agenda must make a request to the school board chair, clerk or superintendent in a timely manner. The person making the request is encouraged to state the person's name, address, purpose of the item, action desired, and pertinent background information. The chair, clerk and superintendent shall determine whether to place the matter on the tentative agenda.

Upon the written request of three board members, delivered to the chair no later than the Friday before an agenda setting session, an item will be placed on the agenda at the following meeting or a meeting soon thereafter, as agreed upon by those involved.

- C. The tentative agenda and supporting documents shall be sent electronically to the school board members at least three days prior to the regularly scheduled school board meeting, and as soon as practicable for Special and Emergency meetings. It shall be the intent of the School Board to be fully informed before making decisions.
- D. Items may only be added to the agenda by a motion adopted at a board meeting. If an added item is acted upon, the minutes of the school board meeting shall include a description of the matter.
- E. At least one copy of any printed materials, including electronic communications, relating to the agenda items of the meeting prepared or distributed by or at the direction of the school board or its employees and: (i) distributed at the meeting to all members of the governing body; (ii) distributed before the meeting to all members; or (iii) available in the meeting room to all members, shall be available in the meeting room for inspection by the public while the school board considers their subject matter. This does not apply to materials classified by law as other than public or to materials relating to the agenda items of a closed meeting.

**Legal References:** Minn. Stat. § 13D.01, Subd. 6 (Open Meeting Law)  
Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)  
Dept. of Admin. Advisory Op. No. 10-013 (April 29, 2010)  
Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)

**Cross References:** MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)

MSBA/MASA Model Policy 203.2 (Order of the Regular School Board Meeting)  
MSBA/MASA Model Policy 203.6 (Consent Agendas)  
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)  
MSBA/MASA Model Policy 207 (Public Hearings)

Replacing: Policies 8085, 8100, 9075, 9080, 9095  
First Reading: 01-19-2016  
Adopted: 02-23-2016 ISD709  
Updated: 02-27-2018

## 203.6R CONSENT AGENDAS

In order for a more efficient administration of school board meetings, the school board may elect to use a consent agenda for the passage of routine items or items of a similar nature.

Consent items are those which usually do not require discussion or explanation prior to school board action, are noncontroversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation.

Items shall be removed from the consent agenda by a timely request by an individual school board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the school board. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda.

Consent agenda items are approved en masse by one vote of the school board. The consent agenda items shall be separately recorded in the minutes.

The Superintendent, in consultation with the School Board Chair and Clerk, will compile the list of consent agenda items for each school board meeting agenda.

Consent agenda items may include, but are not limited to:

- A. Minutes from past meetings
- B. Standing committee reports
- C. HR Staffing Report
- D. RFPs, Bids, and Quotes
- E. First Readings of policies
- F. Second Readings of policies
- G. Contracts over \$100,000
- H. Leases
- I. Donations
- J. Acceptance of grants
- K. Diploma requests
- L. Trip requests
- M. Communications, petitions, etc.
- N. Other resolutions

Items considered "informational" through committees do not need to be acted on through the consent agenda and are acknowledged through the approval of the standing committee report.

Reviewed: 01-21-2020

Reviewed: 04-02-2024

## **203.26R ~~ORDER OF THE REGULAR SCHOOL BOARD MEETING BYLAW~~ CONSENT AGENDA**

In order for a more efficient administration of school board meetings, the school board may elect to use a consent agenda for the passage of routine items or items of a similar nature.

Consent items are those which usually do not require discussion or explanation prior to school board action, are noncontroversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation.

Items shall be removed from the consent agenda by a timely request by an individual school board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the school board. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda.

Consent agenda items are approved en masse by one vote of the school board. The consent agenda items shall be separately recorded in the minutes.

The Superintendent, in consultation with the School Board Chair and Clerk, will compile the list of consent agenda items for each school board meeting agenda.

Consent agenda items may include, but are not limited to:

- A. Minutes from past meetings
- ~~B~~C. HR Staffing Report
- ~~C~~D. RFPs, Bids, and Quotes
- ~~D~~E. First Readings of policies
- ~~E~~F. Second Readings of policies
- ~~F~~G. Contracts over \$100,000
- ~~G~~H. Leases
- ~~H~~I. Donations
- ~~I~~J. Acceptance of grants
- ~~J~~K. Diploma requests
- ~~K~~L. Trip requests
- ~~L~~M. Communications, petitions, etc.
- ~~M~~N. Other resolutions
- ~~N~~B. Standing committee reports

Items considered "informational" through committees do not need to be acted on through the consent agenda and are acknowledged through the approval of the standing committee report.

Reviewed: 01-21-2020

## **203.2R ORDER OF THE REGULAR SCHOOL BOARD MEETING BYLAW**

In order for a more efficient administration of school board meetings, the school board may elect to use a consent agenda for the passage of routine items or items of a similar nature.

Consent items are those which usually do not require discussion or explanation prior to school board action, are noncontroversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation.

Items shall be removed from the consent agenda by a timely request by an individual school board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the school board. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda.

Consent agenda items are approved en masse by one vote of the school board. The consent agenda items shall be separately recorded in the minutes.

The Superintendent, in consultation with the School Board Chair and Clerk, will compile the list of consent agenda items for each school board meeting agenda.

Consent agenda items may include, but are not limited to:

- A. Minutes from past meetings
- B. HR Staffing Report
- C. RFPs, Bids, and Quotes
- D. First Readings of policies
- E. Second Readings of policies
- F. Contracts over \$100,000
- G. Leases
- H. Donations
- I. Acceptance of grants
- J. Diploma requests
- K. Trip requests
- L. Communications, petitions, etc.
- M. Other resolutions
- N. Standing committee reports

Items considered "informational" through committees do not need to be acted on through the consent agenda and are acknowledged through the approval of the standing committee report.

Reviewed: 01-21-2020