



Future Ready. Community Strong.

Regular Meeting Agenda

Diamondhead Education Center
200 W. Burnsville Parkway
Burnsville, MN 55337
September 19, 2017
4:30 PM

Location: Superintendent's Conference Room

- I. Welcome
- II. Review Policies with Changes
 - A. 206 Public Participation in School Board Deliberations
 - B. 102 Equal Educational Opportunity
 - C. 103 Complaints – Students, Employees, Parents, Other Persons
 - D. 425 Professional Development
 - E. 601 School District Curriculum and Instruction Goals
 - F. 603 Curriculum Development
- III. Review Policies with no Changes
 - A. 101 Legal Status of the School District

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Adopted: 6/25/2015
Reviewed: 5/26/2016
Revised: 6/9/2016
Rescinds:

Burnsville-Eagan-Savage School District Policy 101

101 LEGAL STATUS OF THE SCHOOL DISTRICT

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. RELATIONSHIP TO OTHER ENTITIES

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

IV. POWERS AND AUTHORITY OF THE SCHOOL DISTRICT

- A. Funds
 - 1. The school district, through its school board, has authority to raise funds for the operation and maintenance of its schools and authority to manage and expend such funds, subject to applicable law.

2. The school district has wide discretion over the expenditure of funds under its control for public purposes, subject to the limitations provided by law.
3. School district administrators/board members occupy a fiduciary position in the management and expenditure of funds entrusted to them.

B. Raising Funds

1. The school district shall, within the limitations specified by law, provide by levy of tax necessary funds for the conduct of schools, payment of indebtedness, and all proper expenses.
2. The school district may issue bonds in accordance with the provisions of Minn. Stat. Ch. 475, or other applicable law.
3. The school district has authority to accept gifts and donations for school 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 administrators/board members 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 Minn. Stat. § 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. Instructional Resources, Educational Materials, and Studies

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

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 Districts, Powers and Duties)
Minn. Stat. Ch. 179A (Public Employment Labor Relations)
Minn. Stat. § 465.035 (Conveyance or Lease of Land)
Minn. Stat. §§ 465.71; 471.345; 471.6161; 471.6175; 471.64 (Rights, Powers, Duties of Political Subdivisions)
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 N.W.2d 32 (1965)
Huffman v. School Board, 230 Minn. 289, 41 N.W.2d 455 (1950)
State v. Lakeside Land Co., 71 Minn. 283, 73 N.W.970 (1898)

Cross References: Burnsville-Eagan-Savage School District Policy 201 (Legal Status of School Board)
Burnsville-Eagan-Savage School District Policy 603 (Curriculum Development)
Burnsville-Eagan-Savage School District Policy 604 (Instructional Curriculum)
Burnsville-Eagan-Savage School District Policy 606 (Instructional Resources)
Burnsville-Eagan-Savage School District Policy 704 (Development and Maintenance of an Inventory of Fixed Asset Accounting System)
Burnsville-Eagan-Savage School District Policy 705 (Investments)
Burnsville-Eagan-Savage School District Policy 706 (Acceptance of Gifts)
Burnsville-Eagan-Savage School District Policy 801 (Equal Access to School Facilities)
MSBA Service Manual, Chapter 3, Employee Negotiations

MSBA Service Manual, Chapter 13, School Law Bulletin "F" (Contract and Bidding Procedures)

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Adopted: 6/25/2015
Reviewed: 6/11/2015
Revised:
Rescinds:

Burnsville-Eagan-Savage School District Policy 101.1

101.1 NAME OF THE SCHOOL DISTRICT

I. PURPOSE

The purpose of this policy is to clarify the name of the school district.

II. GENERAL STATEMENT OF POLICY

Pursuant to statute, the official name of the school district is Independent School District No. 191. However, the school district is often referred to by other informal names. In order to avoid confusion and to encourage consistency in school district letterheads, signage, publications and other materials, the school board intends to establish a uniform name for the school district.

III. UNIFORM NAME

- A. The public name of the school district shall be the Burnsville-Eagan-Savage School District.
- B. The name specified above may be used to refer to the school district and may be shown on school district letterheads, signage, publications and other materials.
- C. In official communications and on school district ballots, the school district shall be referred to as Independent School District No. 191 (Burnsville-Eagan-Savage), but inadvertent failure to use the correct name shall not invalidate any legal proceeding or matter or affect the validity of any document.

Legal References: Minn. Stat. § 123A.55 (Classes, Number)

Cross References:

C.604 Instructional Curriculum

IV. Wrap up

V. Adjourn

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