

## School District

### Legal Status of the School District

#### I. Purpose

This policy clarifies the legal status of the school district. The power to provide for public education is a state function vested in the state legislature and delegated to local school districts.

#### 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 district has been created for educational purposes.
- B. The legislature has authority to prescribe the district's powers and privileges, its boundaries and territorial jurisdictions.
- C. The district has only the powers conferred on it by the legislature; however, the school board's authority to govern, manage, and control the district, to carry out its duties and responsibilities, and to conduct the business of the district includes implied powers in addition to any specific powers granted by the legislature.
- D. District records and communications between and among governmental branches are public record, unless determined to be data private as per state and federal laws.

#### III. Relationship to Other Entities

- A. The school district is a separate legal entity.
- B. The district is coordinate with and not subordinate to the county in which it is situated.
- C. The 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 district has wide discretion over the expenditure of funds under its control for public purposes, subject to the limitations provided by law.

3. District officials occupy a fiduciary position in the management and expenditure of funds entrusted to them.

#### B. Raising Funds

1. The district will, 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 district may issue bonds in accordance with the provisions of Minn. Stat. Ch. 475, or other applicable law.
3. The district has authority to accept gifts and donations for school purposes, subject to applicable law.

#### C. Property

1. The 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 district will manage its property in a manner consistent with the educational functions of the district.
3. The district may permit the use of its facilities for community purposes which are not inconsistent with nor disruptive of its educational mission.
4. District officials hold school property as trustees for the use and benefit of students, taxpayers and the community.

#### D. Contracts

1. The district is empowered to enter into contracts in the manner provided by law.
2. The 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 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 district has authority to enter into employment contracts. As a public employer, the district through its designated representatives, will 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 district, through its school board and administrators, has the authority to determine what textbooks, educational materials, and studies should be pursued.
2. The district will establish and apply the school curriculum.

## F. Actions and Suits

The district has authority to sue and to be sued.

## V. Records and Communications

- A. The approved school district budgets, statistical compilations, reports, notices, bulletins, memoranda, minutes of meetings, and official communications between governmental branches are public records, and access thereto during normal hours of business may be granted to any citizen. Refer to Policy 113 Data Requests for further details on requesting data.

### 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; 471.64 (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:

Policy 201 (Legal Status of the School Board)

Policy 603 (Curriculum and Program Review and Development)

Policy 604 (Grade Level Configuration and Enrollment at School Sites)

Policy 606 (Selection and Objection of Instructional Text, Materials and Content)

Policy 706 (Investments)

Policy 709 (Acceptance of Gifts, Donations and Bequests)

Policy 801 (Equal Access to School Facilities)

Policy

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INDEPENDENT SCHOOL DISTRICT 273

Edina, Minnesota