LEGAL STATUS OF THE SCHOOL BOARD

POLICY: 201
ADOPTED: 09/21/98
REVISED: 10/28/24

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 of school district affairs. The board shall act to enhance the educational welfare of the district students by supporting the district's mission.

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. The decisions or actions of a single board member shall not be binding on the entire board. The board must exercise its powers and duties only in meetings in which a majority of the board members constitutes a quorum to transact business.

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 seven elected directors. The term of office is four years.

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.

D. The election of school 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-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.

V. Powers and Duties

A. Policies and Administrative Regulations – The school board shall set policies as the basis for the establishment of administrative regulations governing employees and students and overseeing the care of district facilities, grounds, and properties. The school board shall aid the enforcement of regulations and require the performance of duties of employees and students as imposed by law, district policies, and regulations.

B. Legislative – The school board, as an extension of the State of Minnesota, represents the citizens of the district and shall function as a policy-making body. The board has jurisdiction over the district and employees. The use of judgment and discretion in this connection shall be limited only by specific policies and agreements accepted by the board, and then only to the extent such policies and agreements are in conformance with the constitution and laws of the State of Minnesota and Constitution of the United States.

C. Executive – The school board shall select a Superintendent of Schools and delegate him/her the authority to carry out the plans and administrative details necessary to ensure that all district policies are incorporated in the operation of the district.

D. Appraisal – The school board shall determine the effectiveness of the district through careful review and study of facts and conditions.

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. Provide school buildings and erect needed buildings;

3. Purchase, sell, and exchange school district property and equipment as deemed necessary by the school board for school purposes;

4. Conduct the business of the schools and pay indebtedness and proper expenses;

5. Contract with necessary qualified teachers; Discharge necessary employees and contract for other services;

6. Enter into agreements with one or more other independent school districts to provide for agreed upon educational services;

7. Receive, for the benefit of the school district, bequests, donations or gifts for any proper purpose; and

8. Provide services to promote the health of its students.

9. Provide transportation of students to and from school, as governed by the state law.

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

11. 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. § 122A.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 District 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 Purposes
Minn. Stat. § 123B.85 Definitions
Jensen v. Indep. Consol. Sch. Dist. No. 85, 160 Minn. 233, 199 N.W. 911 (1924)

Cross References: Policy 101 - Legal Status of School District
Policy 202 - School Board Officers
Policy 203 –Operation of the School Board - Governing Rules
Policy 205 - Open and Closed Meetings