

Round Lake / Brewster Public School Policies

Book: Round Lake Public School Policies
Brewster Public School Policies

Section: 200 - SCHOOL BOARD

Title: Legal Status of the School Board

Number: 201

Legal: *Minn. Stat. § 123A.22 (Cooperative Centers)*
Minn. Stat. § 123B.02 (General Powers)
Minn. Stat. § 123B.09 (Boards of Independent Districts)
Minn. Stat. § 123B.14 (District Officers)
Minn. Stat. § 123B.23 (Liability Insurance)
Minn. Stat. § 123B.49 (Cocurricular and Extracurricular Activities; Insurance)
Minn. Stat. § 123B.51 (Schoolhouses and Sites; Access for Noncurricular Purposes)
Minn. Stat. § 123B.85 (Definition)
Jensen v. Indep. Consol. Sch. Dist. No. 85, 160 Minn. 233, 199 N.W. 911 (1924)

Adopted:

Last Revised:

Last Reviewed: 02/23/2009

Policy Detail

I. PURPOSE

The purpose of this policy is to define the statutory and constitutional authority, duties, and powers of the School Board in carrying out its vision to provide lifelong learning for all and its mission to create an environment where lifelong learning is valued, excellence is expected, and improvement is continuous.

II. GENERAL STATEMENT OF POLICY

- A. The School Board is the governing body of the District. As such, the School Board has responsibility for the care, management, and control over public schools in the 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 entire School Board.

III. DEFINITION

“School Board” means the governing body of the District.

IV. ORGANIZATION AND MEMBERSHIP

- A. The membership of the School Board consists of six elected directors. School Board positions are filled by election on an at-large basis and are identified according to position numbers. Elections shall be held in even-numbered years according to the following schedule:
 - Directors 1-2-3— 2008 and every four years thereafter
 - Directors 4-5-6 – 2010 and every four years thereafter
- 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 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 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 the District, the payment of indebtedness, and all proper expenses of the District;
 - 2. conduct the business of the District and pay indebtedness and proper expenses;
 - 3. make and authorize contracts;
 - 4. employ and contract with necessary qualified teachers and discharge the same for cause;
 - 5. manage the District; adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts;
 - 6. provide services to promote the health of its students
 - 7. provide school buildings;
 - 8. purchase, sell, and exchange District property and equipment as deemed necessary by the School Board for educational purposes;
 - 9. provide for payment of claims against the District, and prosecute and defend actions by or against the District, in all proper cases;
 - 10. employ and discharge necessary employees and contract for other services;
 - 11. provide for transportation of students to and from school, as governed by statute; and
 - 12. procure insurance against liability of the 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 students and employees on such terms as the School Board determines;
 - 3. enter into agreements with one or more other independent Districts to provide for agreed upon educational services;
 - 4. lease rooms or buildings for educational purposes;
 - 5. authorize the use of school facilities for community purposes that will not interfere with their use for District purposes;
 - 6. authorize co curricular and extracurricular activities;

7. perform other acts as the School Board shall deem to be reasonably necessary or required for the governance of the District.

Cross References:

School Board Policy 201 (Legal Status of the School Board) 

School Board Policy 202 (School Board Officers) 

School Board Policy 203 (Operation of the School Board-Governing Rules) 

School Board Policy 205 (Open and Closed Meetings) 

MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties