

201 LEGAL STATUS OF THE BOARD OF EDUCATION

I. PURPOSE

The care, management, and control of the schools is vested by statutory and constitutional authority in the Board of Education. The Board of Education 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 Board of Education in carrying out its mission.

II. GENERAL STATEMENT OF POLICY

A. The Board of Education is the governing body of the school district. As such, the Board of Education has responsibility for the care, management, and control over public schools in the school district.

B. Generally, elected members of the Board of Education have binding authority only when acting as a Board of Education legally in session, except where specific authority is provided to Board of Education members or officers individually. Generally, the Board of Education is not bound by an action or statement on the part of an individual Board of Education member unless the action is specifically directed or authorized by the Board of Education.

III. DEFINITION

“Board of Education” means the governing body of the school district.

IV. ORGANIZATION AND MEMBERSHIP

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

B. There may be other ex officio members of the Board of Education 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 Board of Education.

V. POWERS AND DUTIES

A. The Board of Education has powers and duties specified by statute. The Board of Education’s authority includes implied powers in addition to specific powers granted by the legislature.

B. The Board of Education exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.

C. The Board of Education shall superintend and manage the schools of the school district; adopt rules for their organization, government, and instruction; prescribe textbooks, learning resources and courses of study; and make and authorize contracts.

D. The Board of Education 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 Board of Education, 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 Board of Education 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 Board of Education, 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. offer school lunches for pupils and teachers on such terms as the Board of Education 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 Board of Education shall deem to be reasonably necessary or required for the governance of the schools.

Legal References: Minn. Stat. § 123A.22 (Cooperative Centers)
Minn. Stat. § 123B.02 (General Powers)
Minn. Stat. § 123B.09 (Board of Education Powers)
Minn. Stat. § 123B.14 (School 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)