

INDEPENDENT SCHOOL DISTRICT #877 POLICY

Buffalo-Hanover-Montrose

INDEX TITLE School Board SERIES NO. 200

POLICY TITLE Legal Status of the School Board CODE NO. 201

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 and exemplifies the American principles of representative democracy. The American system of public school education will best meet the needs of the citizenry if all local school boards throughout the United States recognize and meet their full legal, civic, social, economic, moral and ethical responsibilities. Every member of a school board should represent open-mindedly the entire school district; and, consequently, must let his or her consideration for the entire district take precedence over every form of partisanship and special interest – political, racial, religious, geographic, economic, social, civic or other. As such, the school board has responsibility for the care, management, and control over public schools in the school 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 any individual board member except when such statement or action is authorized by the school board.
- C. All actions of the board shall be taken only in official board meetings called, scheduled and conducted according to these bylaws and the statutes of the state.
- D. No board member, by virtue of his/her office shall exercise any administrative responsibility with respect to the schools or, as an individual, command the services of any school employee.

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. The superintendent is an ex-officio member of the school board.
- 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 school district and 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 school 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 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 school board 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 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 pupils and teachers on such terms as the school board 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 school board shall deem to be reasonably necessary or required for the governance of the schools.

VI. GOALS

In accordance with the Code of Ethics, the Board through its mode of operating, shall seek to achieve the following goals:

- A. To concentrate the board's collective effort on its policy making and planning responsibilities.

- B. To formulate policies which best serve the education needs of District 877 students.
- C. To provide the superintendent with adequate guidelines for implementing board policies.
- D. To maintain effective communication with the public, staff and students in order to maintain awareness of attitudes, opinions, desires and ideas.
- E. To conduct business openly, and encourage broad-based involvement in the decision making processes by the public, students and staff.

VII. CODE OF ETHICS

To increase school board effectiveness, board members will:

- prepare for school board and committee meetings;
- share relevant information with the school board;
- follow the school district’s “chain of command”;
- actively participate in meetings by engaging in focused discussions on the agenda topics and actively listen to other board members, administrators or stakeholders;
- share respect and courtesy while seeking to promote our positions on issues or to resolve differences, and more importantly, focus on the best interests of students and the school district;
- abide by rules of confidentiality;
- support board decisions and ensure the accuracy of public information on school district or board decisions; and
- volunteer for board responsibilities.

Legal references: Minn. Stat. 123A.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 (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)
Minn. Stat. 123B.85 (Definitions)
Jensen v. Indep. Consol. Sch. Dist. No. 85, 160 Minn. 233, 199 N.W. 911 (1924)

Cross References: MSBA/MASA Model Policy 101 (Legal Status of the School District)
MSBA/MASA Model Policy 202 (School Board Officers)
MSBA/MASA Model Policy 203 (Operation of the School Board –
Governing Rules
MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)
MSBA Service Manual, Chapter 1, School District Governance, Powers
and Duties

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