

Board Information: April 24, 2023 [New/MSBA Model Policy/Modified]
Board Approval: May 22, 2023 [New/MSBA Model Policy/Modified]
Contact Person: Superintendent

POLICY 201 LEGAL STATUS OF THE SCHOOL BOARD

I. PURPOSE

To carry out the mission of the school district with diligence, prudence, and dedication to the ideals of providing the finest public education, this policy is to define the authority, powers, duties, and responsibilities of the School Board in carrying out its mission.

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 School Board.

III. DEFINITION

“School Board” means the governing body of the District, whose powers and duties are specified by state statute.

IV. ORGANIZATION AND MEMBERSHIP

- A. The membership of the School Board consists of seven elected directors.

- 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. ELECTIONS

- A. Qualified voters of Independent School District 271 shall elect members of the School Board at-large. Elections shall be held in accordance with prevailing law.
- B. School Board general elections shall be held during the odd numbered years, on the first Tuesday after the first Monday in November. One election cycle shall elect four seats and the following cycle shall elect three seats.
- C. Any vacancy on the School Board will be filled by the School Board as required by state statute.

VI. TERMS OF OFFICE

- A. Each elected School Board member's term of office shall be four years.
- B. Terms of office shall begin/expire on the first Monday in January following the School Board election. The Clerk of the School Board shall maintain a public record of terms of office for each School Board member.

VII. RESPONSIBILITIES

- A. The School Board, among other responsibilities, shall perform the following in accordance with applicable law:
 - 1. Participate in the exercise and performance of powers and duties of the School Board as defined in state statutes and Independent School District 271 Policies.
 - 2. Meet in regularly and specially called meetings and study sessions to consider and act on matters presented to the School Board as legitimate concerns of the staff or residents of Independent School District 271.
 - 3. Oversee the management of the District by employing a Superintendent who is directly accountable to the School Board and serves as Chief Executive Officer of the school system.
 - 4. Annually evaluate the performance of the Superintendent.

5. Establish policies for the operation of the District that comply with federal and state laws.
6. Approve the annual budget before the end of the current fiscal year.
7. Employ and contract with necessary qualified teachers and staff and discharge the same for cause.
8. Provide by levy of tax, necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the District.
9. Provide for payment of claims against the District, and prosecute and defend actions by or against the District, in all proper cases.
10. Provide for transportation of pupils to and from school, as governed by statute.
11. Provide school buildings and erect needed buildings.
12. Purchase, sell, and exchange District property and equipment for school purposes.
13. Procure insurance against liability of the District, its officers, and employees.
14. Promote community engagement through communication with the public by providing information to and seeking input from stakeholders.
15. Represent the School Board and Independent School District 271 as delegates or representatives on various committees and commissions as determined by the whole School Board with final determination by the Chair, if needed.
16. Develop annual continuous improvement goals for the School Board and annually evaluate its performance.

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 (Cocurricular and 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)