

**SCHOOL POLICIES  
INDEPENDENT SCHOOL DISTRICT 16**

<b>POLICY</b>	201	<b>Page:</b> 1 of 2
<b>SERIES</b>	200	School Board
<b>SUBJECT</b>	201	Legal Status of the School Board
<b>Adopted</b>		November 14, 2000
<b>Revised</b>		June 14, 2011

**I. PURPOSE**

The governance of the District 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 governance of 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 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 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.
- 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. After an official vote occurs, the School Board members speak with “one voice”, meaning whatever the majority vote was is considered the position of all of the Board members.

## **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 shall select a Superintendent of Schools, who functions as the Chief Executive Officer and who is directly accountable to the School Board. The School Board shall evaluate the Superintendent of Schools.
- C. The Board develops and adopts policies that provide guidance for accomplishing the district’s vision, mission, and goals.
- D. The Board adopts a budget that incorporates sound business and fiscal practices and provides resources to achieve the District’s vision, mission and goals.

***Legal References:*** Minn. Stat. § 123A.22 (Cooperative Centers)

Minn. Stat. § 123B.02 (general powers)

Minn. Stat. § 123B.09 (School Board 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)

***Cross References:*** Policy 101 (Legal Status of the School District)

Policy 202 (School Board Officers)

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

MSBA Service Manual, Chapter 3, School Board and Its Powers