

Adopted: 10-23-06

Southside Family Charter School Policy 201

Orig. 1995

Revised: 12/19/20

Rev. 1999

201 LEGAL STATUS OF THE SCHOOL BOARD

I. PURPOSE

The care, management and control of the school is vested by statutory and constitutional authority in the school board. The school board shall carry out the mission of Southside Family Charter School 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 charter school. As such, the school board has responsibility for the care, management, and control over the charter school.
- 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 charter school.

IV. ORGANIZATION AND MEMBERSHIP

- A. The membership of the school board is defined in the by-laws of the charter school.
- B. There may be other ex officio members of the school board as provided by law. The Executive Director 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 charter school; adopt rules for its 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 charter school, its facilities and property, and of the interest of the school.
- E. The school board, among other duties, shall perform the following in accordance with applicable law:
 - 1. conduct the business of the school and pay indebtedness and proper expenses;
 - 2. make and authorize contracts;
 - 3. employ and contract with necessary qualified teachers and discharge the same for cause;
 - 4. manage the school; adopt rules for the school's organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts;
 - 5. provide services to promote the health of its pupils;
 - 6. provide school buildings and erect needed buildings;
 - 7. purchase, sell, and exchange charter school property and equipment as deemed necessary by the school board for school purposes;
 - 8. provide for payment of claims against the charter school, and prosecute and defend actions by or against the charter school, in all proper cases;
 - 9. employ and discharge necessary employees and contract for other services;
 - 10. provide for transportation of pupils to and from school, as governed by statute; and
 - 11. procure insurance against liability of the charter school, its officers and

employees.

12. contract with attorneys as necessary for regular and special legal guidance for board and school matters.

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 charter school, 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.

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: Southside Family Charter School Policy 101 (Legal
Status of the School)

Southside Family Charter School Policy 202 (School Board Officers)
Southside Family Charter School Policy 205 (Open Meetings and Closed Meetings)
MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties