

New Century School Policy No. 201

Adopted: 6.20.16

Revised: _____

201 LEGAL STATUS OF THE SCHOOL BOARD

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. 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 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. Composition of the Board of Directors. The Board of Directors shall consist of not less than five (5) or more than seven (7) nonrelated members (excluding those permanent non-voting members being the Executive Director and the Charter Authorizer Liaison, and any other ex officio non-voting members, if any, as determined by the Board from time to time).
- B. There may be other ex officio members of the school board as provided by law. The Director serve as 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

Powers. The Board of Directors shall conduct or direct the affairs of the School and exercise its powers, subject to the limitations of Minnesota Statutes Chapter 317A and Section 124E, the Articles of Incorporation, the Bylaws, and by any other controlling law. The Board of Directors may delegate the management of the activities of the School to others. The Board may exercise all powers of the School and perform all acts which are not prohibited by law, by the Articles or by the Bylaws, all as may be amended, including but not limited to the following specific powers:

- A. To select and remove officers, agents, and employees of the School; to prescribe powers and duties for them; and to fix their compensation;

- B. To manage, and oversee the affairs and activities of the School, and to make rules and regulations;
- C. To enter into contracts, leases, and other agreements which are, in the judgment of the Board of Directors, necessary or desirable in obtaining the purposes of promoting the interests of the School;
- D. To acquire real or personal property, by purchase, exchange, lease, gift, devise, bequest, or otherwise, and to hold, improve, lease, sublease, mortgage, transfer in trust, encumber, convey, or otherwise dispose of such property;
- E. To borrow money, incur debt, and to execute and deliver promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities;
- F. To indemnify and maintain insurance on behalf of any of its Directors, officers, employees, or agents for liability asserted against or incurred by such person in such capacity or arising out of such person's status as such, subject to the provisions of Minnesota Statute Chapter 317A and the limitations noted in these bylaws; and
- G. To remove Directors.