

SCHOOL BOARD

LEGAL STATUS OF THE SCHOOL BOARD

I. PURPOSE

The power to provide for public education is a state function vested in the state legislature and delegated to local school districts which are governed by a 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 district is a public corporation subject to the control of the legislature, limited only by constitutional restrictions. The school district has been created for educational purposes.
- B. The legislature has authority to prescribe the school district's powers and privileges, its boundaries and territorial jurisdictions.
- C. The school district has only the powers conferred on it by the legislature; however, the school board's authority to govern, manage, and control the school district, to carry out its duties and responsibilities, and to conduct the business of the school district includes implied powers in addition to any specific powers granted by the legislature.
- D. 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.
- E. 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. 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 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.
11. establish the school curriculum and determine, through its administrators, what textbooks, educational materials, and studies should be pursued.

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 meals 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.