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MTCS Policy 201
MSBA Orig. 1995
Rev. 2009

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 Minnesota Transitions Charter School (MTCS) Board. The MTCS Board shall carry out the mission of the 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 MTCS Board in carrying out its mission.

II. GENERAL STATEMENT OF POLICY

- A. The MTCS Board is the governing body of the school. As such, the MTCS Board has responsibility for the care, management, and control over all aspects of the school.
- B. Generally, elected members of the MTCS 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 MTCS Board is not bound by an action or statement on the part of an individual Board member unless the action is specifically directed or authorized by the MTCS Board.

III. DEFINITION

“MTCS Board” means the governing body of the school.

IV. ORGANIZATION AND MEMBERSHIP

- A. The membership of the MTCS Board consists of at least five members with the target configuration of nine members, but may have as many as eleven members with Board approval. The term of office is three years.
- B. There may be other ex officio members of the MTCS 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 MTCS Board.

V. POWERS AND DUTIES

- A. The MTCS Board has powers and duties specified by statute. The Board's authority includes implied powers in addition to specific powers granted by the legislature.
- B. The MTCS Board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The MTCS Board shall manage MTCS schools; adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts.
- D. The MTCS Board shall have the general charge of the business of the schools, their facilities and property, and of the interest of the schools.
- E. The MTCS Board, among other duties, shall perform the following in accordance with applicable law:
 - 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;
 - 4. provide services to promote the health of its pupils;
 - 5. provide school buildings;
 - 6. purchase, sell, and exchange school property and equipment as deemed necessary by the MTCS Board for school purposes;
 - 7. provide for payment of claims against the school, and prosecute and defend actions by or against the school, in all proper cases;
 - 8. employ and discharge necessary employees and contract for other services;
 - 9. make and authorize contracts; and
 - 10. procure insurance against liability of the school district, its officers, and employees.
- F. The MTCS 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 MTCS Board determines;
3. enter into agreements with one or more other schools 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, bequests, donations, or gifts for any proper purpose;
8. perform other acts as the MTCS Board shall deem to be reasonably necessary or required for the governance of the schools
9. arrange for transportation of pupils to and from school, as governed by statute.

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