

Policy 203 OPERATION OF THE SCHOOL BOARD OF EDUCATION - BYLAWS

I. NAME

The name of this body is the Independent School District 659 Board of Education.

II. LEGAL BASIS

The basis for the establishment and operation of the school board lies in the State of Minnesota Constitution, Minnesota Statutes, court interpretations of these laws, and the powers implied under them.

III. RESPONSIBILITIES OF THE SCHOOL BOARD

The school board will create policy, delegate responsibility for, and/or take action to:

- A. Review the district vision statement and strategic plan annually.
- B. Provide for the evaluation and improvement of instructional programs and the services that support them.
- C. Establish a suitable learning environment for education by providing necessary buildings and equipment to support the instructional process and to provide for the comfort, health, and safety of students and staff when they are in attendance at school or engaged in school sponsored activities.
- D. Provide for the recruitment, assignment, supervision, evaluation, professional growth, compensation, and termination of all permanent, temporary, and part-time employees.
- E. Enroll students for instruction, and excuse, exclude, suspend, or expel students from instruction for sufficient cause in accordance with Minnesota Statutes and current school board policy.
- F. Provide transportation for students to and from school, in accordance with Minnesota Statutes and other applicable laws.
- G. Set standards for student conduct and clear guidelines for employee responses in the case of unacceptable student behavior. Inform students and their parents/guardians of their rights as well as their responsibilities.
- H. Maintain and preserve essential student and other governmental records according to federal law and Minnesota Statutes.
- I. Establish graduation requirements and provide for reports to students and parents on educational progress.
- J. Disseminate district information to residents of the district in accordance with Minnesota Statutes.
- K. Pursuant to law, provide for levying of taxes as necessary for the operation of schools, and for the payment of indebtedness and all proper expenses of the district. These levies are to be certified to the county

auditor by the date established by statute unless otherwise provided for by special directive.

- L. Approve the budget for all funds of the district before July 1 of each year.
- M. Authorize an annual financial audit.
- N. Approve a school calendar for each academic year at the discretion of the school board.
- O. Finance the district through the receipt of state and federal aids; the adoption of local tax levies; the sale of bonds; the borrowing of money; and the receipt of gifts, grants, fees and other revenues.
- P. Designate depositories for school funds.
- Q. Maintain a financial accounting and reporting system.
- R. Approve payment of all bills and disbursements.
- S. Coordinate services of the district with those of other governmental agencies and school districts.
- T. Provide for the use of school facilities by the general public.
- U. Participate in local, state, regional and national school board organizations, as deemed appropriate by the school board.
- V. Perform such other duties and carry out such other responsibilities as may be authorized or required by law.

The school board freely subscribes to tenets of the School Board Member Code of Ethics of the Minnesota School Boards Association, and will strive to uphold those principles in carrying out its responsibilities.

IV. MEMBERSHIP

- A. The school board will consist of seven elected members and the superintendent as a non-voting ex-officio member.
- B. Newly elected members will be sworn in at the first regular meeting in January following the election, or at some other time prior to January 15.
- C. The term of office for members will be four years and until a successor qualifies.
- D. The school board will fill a vacancy in accordance with Minnesota Statutes.
- E. The school board may remove for proper cause any member or officer of the school board and fill the vacancy in accordance with Minnesota Statutes.

V. COMPENSATION

Members of the school board will receive compensation as fixed by the school board at the annual organizational meeting.

VI. OFFICERS

- A. At the first meeting in January, the school board will select a chairperson, vice-chairperson, clerk and treasurer, who will hold their offices for one year and until their successors are selected.
- B. Duties:

1. The chairperson will:
 - a. Preside at all meetings of the school board when present.
 - b. Countersign all orders for claims approved by the school board.
 - c. Sign contracts or agreements approved by the school board when the signature of the chairperson is required. If a deadline must be met and the chairperson is unavailable, the vice-chairperson is authorized to sign the document as acting chairperson.
 - d. Represent the district in all appropriate actions consistent with school board directives and policies.
 - e. Appoint all special committees and standing committees and serve as an ex-officio member on all such committees. Such appointments will be made at the organizational meeting in January.
 - f. Appoint a parliamentarian.
 - g. Confer with the superintendent, as may be necessary and desirable regarding school matters, including the preparation of regular and special meeting agendas as needed.
 - h. Lead evaluation of the superintendent.
 - i. Perform such other duties as required by law, and perform all duties usually incumbent on such an officer.

2. The vice-chairperson will:
 - a. Perform the duties of the chairperson in the event that they are unable to preside. Should both the chairperson and vice-chairperson be unable to preside, the remaining members will select a member to serve in that capacity.
 - b. Perform such other duties as required by law and perform all duties usually incumbent on such an officer.

3. The clerk, either directly or through the administrative staff of the district, will:
 - a. Keep a record of all meetings of the school board.
 - b. In a timely manner, file with the school board a report of the revenues, expenditures, and balances in each fund for the preceding fiscal year.
 - c. Make and transmit reports pursuant to the Uniform Financial Accounting and Reporting System for Minnesota School as required by state law.
 - d. Sign all orders from the treasurer for claims approved by the school board.
 - e. With the chairperson, sign contracts or agreements approved by the school board, when the signature of the clerk is required. If a deadline must be met and the clerk is unavailable, the treasurer is authorized to sign the document as acting clerk.
 - f. Perform such duties as required by state election laws relative to school district elections.
 - g. Perform such other duties as required by law and perform all duties usually incumbent on such an officer.

4. The treasurer, either directly or through the administrative staff of the district, will:

- a. Keep detailed records of all orders processed by the school board, according to law.
- b. Have custody of all monies belonging to the district. Upon receipt of district funds, the treasurer will cause such funds to be promptly deposited in the legal depositories designated and approved by the school board.
- c. Sign all orders for claims approved by the school board.
- d. Perform such other duties as required by law and perform all duties usually incumbent on such an officer.

VII. MEETINGS OF THE BOARD

A. Open Meetings

1. All meetings of the school board will be open to the public for attendance except as otherwise provided by law.
2. Meeting times, dates and locations or any changes thereof will be posted at the district office, on the district website and given to the official newspaper of the district.

B. Types of Meetings

1. Organizational meeting
 - a. The first meeting in January will be devoted to business required for the proper organization of the school board.
 - b. The agenda will include the following topics:
 1. Administration of the oath of office to new or reelected members.
 2. Election of officers.
 3. Compensation for school board members.
 4. Approval of a mileage reimbursement rate for use of private automobiles on district business.
 5. Designation of an official newspaper.
 6. Designation of official depositories for district funds.
 7. Designation of official depositories for district investments.
 8. Authorization of procedures for the investment of excess funds in accordance with Minnesota Statutes.
 9. Authorization of payments for goods and services in advance of school board approval.
 10. Authorization of use of facsimile signatures and surety bonds pursuant to Minnesota Statutes.
 11. Approval of school board membership in local, state and national organizations.
 12. Appointment of school board representatives to other groups and committees.
 13. Other items deemed appropriate by members for the proper organization of the school board.
- To align with fiscal and planning calendars, certain of these topics may be included in the agenda of a meeting held the prior July.

- c. Adjournment:
The meeting will be adjourned following the organization of the school board. Other business may be introduced at regular or special meetings following the organizational meeting.

2. Regular meeting

- a. Regular meetings of the school board will be held at 6:00 p.m. on the second and fourth Mondays of each month in the District Office Boardroom. Meetings of the board shall be adjourned at or before 9:00 p.m. whenever possible. The school board may change the time, date, or location of regular meetings by majority action, and must notify the official newspaper accordingly.
- b. Order of business: Business topics at regular meetings will normally be treated in the following order:
 - 1. Call to order
 - 2. Approval of the agenda
 - 3. Public comment
 - 4. Announcements and recognitions
 - 5. Items for discussion and reports
 - 6. Committee reports
 - 7. Consent agenda
 - 8. Items for individual action
 - 9. Items for information
 - 10. Future meetings
 - 11. Adjournment

Non-controversial and/or routine items of business will be included as part of the consent agenda and passed as one motion. At the request of any school board member, an item will be removed from the consent agenda for separate discussion and action.

3. Special meeting

- a. Special meetings of the school board may be called by the chairperson, clerk or by any four members of the school board who file such a request with the clerk.
- b. Unless specifically provided to the contrary, special meetings will be held in the District Office Boardroom. The clerk will notify members of special meetings in writing by mail or electronic transmission received at least three days prior to the date set for the meeting.
- c. Closed meetings will be held as allowed by law.
- d. Work sessions may be called by the chairperson as needed.
- e. The Minnesota Department of Education has issued an opinion that a government entity is limited to acting only on those matters specifically included in the notice of a special meeting.

4. Emergency meeting

- a. An emergency meeting may be called by the chairperson, clerk or any four members of the school board when, and only when, the

immediate action of the school board is required. While the statute leaves the question to the board of whether the circumstances require immediate consideration at an emergency meeting, the advisory opinions of the Minnesota Department of Education would limit such meetings to responding to natural disasters or health epidemics caused by an event such as an accident or terrorist attack.

- b. All such meetings will, if possible, be held in the District Office Boardroom.
- c. No business may be transacted at an emergency meeting except as noted in the request for the meeting.

5. Recessed or Continued meeting

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.

6. Closed meeting

The notice requirements of the Minnesota Open Meeting Law apply to closed meetings.

7. Meeting during Pandemic or Chapter 12 Emergency

In the event of a health pandemic or an emergency declared under Minn. Stat. Ch. 12, a meeting may be conducted by telephone or interactive technology in compliance with Minnesota Statute 13D.021.

8. Meeting by Interactive Technology

A meeting may be conducted by interactive technology, Zoom, Skype, or other similar electronic means in compliance with Minnesota Statute 13D.02.

C. Quorum

A quorum will be four voting members of the school board. In the absence of a quorum, the only official action that the school board may take is to adjourn the meeting.

D. Agenda Preparation and Dissemination

1. The superintendent will prepare the agenda for all meetings of the school board and they will consult with the school board chairperson, other school board members as needed, and members of the administrative staff when appropriate.
2. Items of business may be suggested by any school board member, staff member, student, or citizen of the district. Items suggested by staff members, students, or citizens may be included at the discretion of the superintendent and the chairperson of the school board. Individuals may

address the school board under the rules of the public comment as listed on the school board agenda.

3. The agenda, together with available supporting materials, will be distributed to school board members on Thursday prior to each board meeting, or sooner when appropriate.
4. The agenda will also be made available to the press; to representatives of community, staff, and student organizations; and to others upon request.
5. Late items will be distributed to school board members at the board meeting.
6. The school board may not, unless required by urgent circumstances, revise current or adopt new school board policies unless such action has been scheduled.

E. Voting

Each elected member of the school board will have one vote. A roll call vote will be taken when required by law or when requested by one or more board members.

F. Minutes

The district will maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with Minnesota Statutes.

G. Parliamentary Authority

Robert's Rules of Order Newly Revised will govern the parliamentary procedure of the school board in its deliberations.

VIII. SCHOOL BOARD COMMITTEES AND REPRESENTATIVES

- A. School board standing or special committees may be created by the board when it is determined that a committee process facilitates the mission of the school board.
- B. The school board has determined that certain permanent standing committees, as described in this policy, do facilitate the operation of the school board and the school district.
- C. A school board committee or subcommittee will be formed by school board resolution which shall outline the duties and purpose of the committee or subcommittee.
- D. A committee or subcommittee is advisory in nature and has only such authority as specified by the school board.
- E. The school board will receive reports or recommendations from a committee or subcommittee for consideration. The school board, however, retains the right and has the duty to make all final decisions related to such reports or recommendations.

- F. The school board also may establish such ad hoc committees for specific purposes as it deems appropriate.
- G. The school board reserves the right to limit, create or abolish any standing or ad hoc committee as it deems appropriate.
- H. A committee of the school board shall not appoint a subcommittee of that committee without approval of the school board.

IX. APPOINTMENT OF COMMITTEES

- A. The school board hereby appoints the following standing committees:
 - 1. Meet and confer.
 - 2. Negotiations.
 - 3. Policy.
- B. The school board will establish, by resolution, for each standing or ad hoc committee the number of members, the term and the charge or mission of each such committee.

X. PROCEDURES FOR SCHOOL BOARD ADVISORY COMMITTEES

- A. Advisory committees will be representative of the community in relation to the tasks delegated to them. Based on the recommendation of the superintendent, the school board may approve the members of a committee and/or the method of their selection.
- B. Advisory committees will serve in an advisory capacity only, proposing recommendations based on analysis of a problem, and will exist only as long as necessary for the study and the report to the school board on particular projects assigned to them. The school board will give careful consideration to all recommendations from advisory committees, although final action and responsibility will remain with the school board. The school board may dissolve advisory committees as needed.
- C. The superintendent, or the superintendent's designee, will be an ex-officio member of all advisory committees.

XI. AMENDMENTS TO BYLAWS

The school board may temporarily suspend these bylaws at any regular or special school board meeting by a unanimous vote of the school board members present.

XII. APPLICATION OF LAWS

These bylaws or any portion thereof will be superseded by subsequent changes in the applicable laws.

Policy 203 Operation of the School Board - Bylaws

Adopted: 12.13.2004; Revised: 05.13.2013, 07.01.2019, 12.02.2019, 12.13.2021; Non-Substantive Update: 02.08.2022;
Updated: 08.22.2022

Board of Education
INDEPENDENT SCHOOL DISTRICT NO. 659
Northfield, Minnesota

Legal References: Minn. Stat. § 13D.01, Subds. 4-6 (Open Meeting Law)
Minn. Stat. § 123B.09, Subd. 10 (Publishing Proceedings)
Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)
Minn. Stat. § 123B.14, Subd. 7 (Record of Meetings)
Minn. Stat. § 331A.01 (Definition)
Minn. Stat. § 331A.05, Subd. 8 (Notice Regarding Published Summaries)
Minn. Stat. § 331A.08, Subd. 3 (Publication of Proceedings)
Op. Atty. Gen. 161-a-20, December 17, 1970
Ketterer v. Independent School District No. 1, 248 Minn. 212, 79 N.W.2d 428 (1956)
Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 13D (Open Meeting Law)
Minn. Stat. § 121A.47, Subd. 5 (Exclusion and Expulsion Procedures)
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)
Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)
Minn. Stat. § 179A.14, Subd. 3 (Labor Negotiations)
Minn. Rules Part 5510.2810 (Bureau of Mediation Services)
Brown v. Cannon Falls Township, 723 N.W.2d 31 (Minn. App. 2006)
Brainerd Daily Dispatch v. Dehen, 693 N.W.2d 435 (Minn. App. 2005)
The Free Press v. County of Blue Earth, 677 N.W.2d 471 (Minn. App. 2004)
Prior Lake American v. Mader, 642 N.W.2d 729 (Minn. 2002)
Star Tribune v. Board of Education, Special School District No. 1, 507 N.W.2d 869 (Minn. App. 1993)
Minnesota Daily v. University of Minnesota, 432 N.W.2d 189 (Minn. App. 1988)
Moberg v. Independent School District No. 281, 336 N.W.2d 510 (Minn. 1983)
Sovereign v. Dunn, 498 N.W.2d 62 (Minn. App. 1993), *rev. denied.* (Minn. 1993)
Dept. of Admin. Advisory Op. No. 10-013 (April 29, 2010)
Dept. of Admin. Advisory Op. No. 19-006 (April 9, 2019)
Dept. of Admin. Advisory Op. No. 21-003 (April 19, 2021)
Dept. of Admin. Advisory Op. No. 21-002 (January 13, 2021)
Dept. of Admin. Advisory Op. No. 19-012 (October 24, 2019)
Dept. of Admin. Advisory Op. No. 19-008 (May 22, 2019)
Dept. of Admin. Advisory Op. No. 18-019 (December 28, 2018)
Dept. of Admin. Advisory Op. No. 17-005 (June 22, 2017)
Dept. of Admin. Advisory Op. No. 13-009 (March 19, 2013)
Dept. of Admin. Advisory Op. No. 13-015 (December 23, 2013)
Dept. of Admin. Advisory Op. No. 12-004 (March 8, 2012)
Dept. of Admin. Advisory Op. No. 11-004 (April 18, 2011)
Dept. of Admin. Advisory Op. No. 10-020 (September 23, 2010)
Dept. of Admin. Advisory Op. No. 09-020 (September 8, 2009)
Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)
Dept. of Admin. Advisory Op. No. 06-027 (September 28, 2006)
Dept. of Admin. Advisory Op. No. 04-004 (February 3, 2004)

M.S., Sec. 127.26, et. seq.	M.S. 123.33, Subd. 1	M.S. 123.34, Subd. 3,4,5,7
M.S. 123.76, et seq.	M.S. 123.33, Subd. 2,3,4	M.S. 471.705
M.S. 13.01, et. seq.	M.S. 123.33, Subd. 8	M.S. 118.005, 118.01, 124.05
M.S. 123.35, Subd. 4; M.S. 275.07	M.S. 123.34, Subd. 1	M.S. 123.335 and 471.38
M.S. 121.908, Subd. 3a.	M.S. 123.34, Subd. 2	M.S. 47.41, M.S. 47.42
M.S. 124.05	M.S. 123.34, Subd. 8	M.S. 123.33, Subd. 5
M.S. 125.12	M.S. 121.908	M.S. 123.38, Subd 11
M.S. 127.26, et. seq.	M.S. 124.19	M.S. 123.33, Sub. 6

Cross References: MSBA/MASA Model Policy 201 (Legal Status of the School Board)
MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)
MSBA/MASA Model Policy 203.2 (Order of the Regular School Board Meeting)
MSBA/MASA Model Policy 203.6 (Consent Agendas)
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)
MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)

MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)

MSBA/MASA Model Policy 207 (Public Hearings)

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties

MSBA Service Manual, Chapter 13, School Law Bulletin "C" (Minnesota's Open Meeting Law)

MSBA Law Bulletin "C" (Minnesota's Open Meeting Law)