

## **POLICY 203 – OPERATION OF THE SCHOOL BOARD - BYLAWS**

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### I. Name

The name of this body is the Independent School District 279 School Board.

### II. Purpose

School board members have the duty of the care, management, and control of the public schools of the school district in accordance with the authority granted them in law. The purpose of this policy is to delineate those responsibilities and establish governing rules for the conduct of meetings of the school board.

### III. General Statement of Policy

An orderly school board meeting allows school board members to participate in discussion and decision of school district issues. Rules of order allow school board members the opportunity to review school-related topics, discuss school business items, and bring matters to conclusion in a timely and consistent manner.

### IV. 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.

### V. Responsibilities of the School Board

The School Board freely subscribes to tenets of the *School Board Member Code of Ethics* of the Minnesota School Boards Association and Policy 209 School Board Standards, and will strive to uphold those principles in carrying out its responsibilities. The School Board will create policy and/or take action to:

- A. Review the District mission statement and strategic plan annually.
- B. Provide for the evaluation and improvement of instructional programs, including student-centered goals and objectives and the instructional services that support them.
- C. Establish a suitable learning environment for education by providing necessary building 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.
- 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 the provisions of applicable laws and current School Board policy.
- F. Provide transportation for eligible students to and from school.
- G. Set standards for student conduct and clear guidelines for employee responses in the case of unacceptable student behavior. Inform students 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 citizens of the District.
- K. Receive the input of the public when evaluating the system and planning for future changes.
- L. 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.

- M. Approve the budget for all funds of the District before July 1 of each year.
- N. Authorize an annual financial audit
- O. Approve a school calendar each year, or every two years at the discretion of the School Board. The calendar is to be approved by April 1 for the next school year.
- P. 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.
- Q. Designate depositories for school funds.
- R. Maintain a financial accounting and reporting system.
- S. Approve payment of all bills and disbursements.
- T. Coordinate services of the District with those of other governmental agencies and school districts.
- U. Provide for the use of school facilities by the general public.
- V. Participate in local, state, regional, and national school board organizations as deemed appropriate by the School Board.
- W. Perform such other duties and carry out such other responsibilities as may be authorized by law.

#### VI. Role of the School Board

The School Board will fulfill the responsibilities documented in Section III by performing legislative, executive, and quasi-judicial roles.

##### A. Legislative Role

- 1. Review existing and proposed policies that govern and guide the District.
- 2. Establish long-range goals and an improvement planning process.
- 3. Develop and approve bylaws which are consistent with Minnesota Statutes to govern its own operations.

##### B. Executive Role

- 1. Select and regularly evaluate an executive officer, the Superintendent.
- 2. Evaluate progress made in the implementation of policies and bylaws and approve plans for maintaining and improving the system.

##### C. Quasi-judicial Role

Make determinations as required by law in cases of:

- 1. Employee terminations or discharge by suspensions or dismissals.
- 2. Appeals from employees.
- 3. Needed actions on behalf of the school district.
- 4. Student exclusions and expulsions.

#### VII. Membership

- A. The School Board will consist of six elected members and the Superintendent as an ex-officio member.
- B. Three members, plus any member(s) to fill an unexpired term, will be elected in even-numbered alternating years on the first Tuesday after the first Monday in November.
- C. 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.
- D. The term of office for members will be four years or until his/her successor qualifies.
- E. The School Board will fill a vacancy in accordance with legal requirements.
- F. The School Board may remove for proper cause any member or officer of the School Board and fill the vacancy in accordance with applicable laws.

VIII. Compensation

Members of the School Board will receive compensation as fixed by the School Board at the annual organizational meeting.

IX. 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. At this meeting, if the retiring Chairperson is not present, the Vice-Chairperson will act as Chairperson during elections until such time as a permanent Chairperson is elected. If both the retiring Chairperson and retiring Vice-Chairperson are not present, the Clerk will act as Chairperson during elections until such time as a permanent Chairperson is elected.

B. Duties

1. The Chairperson will:
  - a. Preside at all meetings of the School Board when present.
  - b. Countersign all orders upon the Treasurer 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. Distribution of written descriptions of committees and discussion by the School Board will precede these appointments. Such appointments will be made at the organizational meeting in January.
  - f. Confer with the Superintendent as may be necessary and desirable regarding school matters, including the preparation of regular and special meeting agendas as needed.
  - g. Perform such other duties as required by law, and perform all duties usually incumbent on such an officer.
2. The Vice Chairperson will perform the duties of the Chairperson in the event that he/she is 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. The Vice Chairperson will 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 Schools. Such reports will include the following and be submitted to the appropriate state official as required.
    - i. The condition and value of school property;
    - ii. The revenues and expenditures in detail, and such other financial information required by law, rule, or as may be called for by state officials;
    - iii. The length of school term and the enrollment and attendance by grades; and
    - iv. Such other items of information as may be called for by state officials.

- d. Sign all orders upon 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 delegation to the administrative staff of the school 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 school district. Upon receipt of school 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.

C. School Board Vacancies

A vacancy on the School Board occurs when a member dies, resigns, ceases to be a resident of the School District or where the School Board determines by resolution that a School Board member is unable to serve because of illness or prolonged absence from the School District for a period of 90 or more calendar days. When a vacancy is known to exist or is certain to occur (i.e. receipt of a formal resignation of a School Board member to occur at a future date), the School Board will fill the vacancy by appointment as set forth in School District procedures. The procedures for filling the vacancy must include:

- (1) a process for notifying eligible persons of the vacancy;
- (2) an application process for interested persons to apply for appointment to the vacancy;
- (3) a process for School Board members to separately review and rank applications for the vacancy;
- (4) a process for the highest ranked candidates to address the School Board at a special or regular school board meeting (including a work session); and
- (5) a process for the School Board to deliberate on the selection of candidates and attempt to reach consensus or selection by a majority vote of the School Board at a special or regular school board meeting (including a work session).
- (6) a process for the School Board to select the Candidate for appointment by resolution at a special or regular school board business meeting.

Appointments made under this policy will last until an election to fill the vacancy is held pursuant to Minnesota law and the person elected to fill the vacancy is seated.

X. Meetings of the Board

A. Open Meetings

- 1. All meetings of the School Board including committees of the 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 Educational Service Center and other appropriate locations, 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:
  - i. Administration of the oath of office to new or reelected members.
  - ii. Election of officers.
  - iii. Compensation for School Board members.
  - iv. Approval of a mileage reimbursement rate for use of private automobiles on District business.
  - v. Designation of an official newspaper.
  - vi. Designation of official depositories for District funds.
  - vii. Designation of official depositories for District investments.
  - viii. Authorization of procedures for the investment of excess funds.
  - ix. Authorization of payments for goods and services in advance of School Board approval.
  - x. Authorization of use of facsimile signatures.
  - xi. Approval of School Board membership in local, state and national organizations.
  - xii. Appointment of School Board representatives to other groups and committees.
  - xiii. Other items deemed appropriate by members for the proper organization of the School Board.
  - xiv. To align with fiscal and planning calendars, certain of these topics may be included in the agenda of prior meetings as determined by the School Board.
- c. Presiding officer
  - i. The chairperson from the preceding year will administer the oath of office to new members and preside until a chairperson for the new year has been elected.
  - ii. The Vice Chairperson will preside during the administration of the oath and the election of new members in the event that the retiring chairperson is absent.
  - iii. The Clerk from the preceding year will preside during administration of the oath of office and the election of new members in the event both the retiring Chairperson and retiring Vice-Chairperson are absent.
- d. 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 Meetings

- a. Regular meetings of the School Board will typically be held on Tuesdays. Regular meetings will be held in the Board Room of the Educational Service Center or at other locations determined by the School Board. The School Board may change the time, date, or location of regular meetings by majority vote.
- b. Types of regular meetings.
  - i. Business Meetings. There will be at least one Business Meeting per month. Business Meetings will be the only meetings where the School Board will take formal action.
  - ii. Work Sessions. Work Sessions will be held as needed, typically one per month.

3. Special Meetings
    - a. Special meetings of the School Board may be called by the Chairperson or the Clerk or by any three 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 Board Room. 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. The powers of the School Board will be the same at special meetings as at regular meetings.
  4. Negotiations Strategy Meetings.
    - a. Meetings to discuss negotiations strategy will typically be scheduled once per month, at such times as determined by the School Board. The School Board shall vote in a Business Meeting whether such meetings shall be closed to the public.
  5. Emergency Meetings
    - a. An emergency meeting may be called by the Chairperson or any three members of the School Board when, and only when, the immediate action of the School Board is required.
    - b. All such meetings will, if possible, be held in the Board Room of the Educational Service Center.
    - c. No business may be transacted at an emergency meeting except as noted in the request for the meeting.
  6. Adjourned Meetings
    - a. An organizational, regular, special or emergency meeting may be adjourned and subsequently reconvened as an "adjourned meeting" by majority action on a motion setting forth the time, date, and place of the reconvening.
    - b. The business interrupted by adjournment will be the first in order after approval of the minutes of the "adjourned meeting."
- C. Quorum  
A quorum will be four 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. In doing so, the Superintendent will consult with the School Board Chairperson, other School Board members as needed, and members of the administrative staff when appropriate.
  2. Each Business Meeting agenda will include the Pledge of Allegiance.
  3. Items of business may be suggested by any School Board member, staff member, student, or resident of the school district. Items suggested by staff members, students, or school district residents will be included at the discretion of the Superintendent and the Chairperson of the School Board. These same individuals may address the School Board at a Business Meeting under the "Guidelines for Audience Opportunity to Address the School Board" as determined by the School Board. These Guidelines are available on the District 279 website and at each Business Meeting of the Board.
  4. The preliminary agenda, together with available supporting materials, will be distributed to School Board members at least two working days prior to each Board meeting.

5. The preliminary agenda will also be posted to the District 279 website and made available to the media; and to others upon request.
6. The final agenda, which may include late items for regular meetings, will be distributed to School Board members at the Board meeting.
7. The School Board may not, unless required by urgent circumstances, revise School Board policies, or adopt new ones, 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 requested by any board member.

F. Minutes

The minutes will be carefully recorded. A copy will be published in the official newspaper of the District within thirty days of the meeting at which the proceedings occurred. If the school board does not have more than one regular meeting every 30 days, the minutes will be published 10 days after approval. If the School Board determines that publication of a summary of the proceedings would adequately inform the public of the substance of the proceedings, the School Board may direct that only a summary of the essential elements of the proceedings be published.

G. Parliamentary Authority

Except when specifically stated by these bylaws, Robert's Rules of Order Newly Revised will govern the parliamentary procedure of the School Board in its deliberations during Business Meetings.

XI. School Board Committees and Representatives

A. School Board Committees

1. Types of Committees

- a. Standing committees may be appointed to address recurring needs. Following initial appointment, members will serve until the earlier of their successor being appointed or their term of office as a School Board member ends.
- b. Special committees may be appointed to address temporary needs or perform special functions, after the completion of which they will automatically be dissolved without further School Board action.

2. Appointment

Committees will consist of two or three members and will be appointed by the Chairperson. Board approval of such appointments may be requested by any Board member.

3. Role of School Board Committees

- a. Committees will consider only such matters as may be referred to them by the School Board.
- b. Committees may seek information in fulfilling their assigned responsibilities, but will not hold hearings without School Board approval.
- c. Committees will serve in advisory rather than in decision-making capacities.

B. School Board Representatives

1. Appointment

The Chairperson, subject to Board approval, may appoint individual members and alternates to represent the entire School Board in dealings with citizen groups, inter-or intra-district organizations, and outside agencies.

2. Role of School Board Representatives

- a. An appointed representative may officially represent the School Board in only those groups and in only the capacity formally approved by the School Board.
- b. An appointed representative will communicate the official position of the School Board and will serve in a manner consistent with that position. Likewise, he/she will make regular reports to the School Board and will ensure that it is fully apprised of matters which may be of concern.

XII. Citizens' Advisory Committees

- A. The School Board will when it deems advisable, appoint advisory committees to assist the School Board in research projects, long-range studies, program evaluation, and development of policies or educational goals. Each committee will be appointed for a specific purpose.
- B. Citizens' advisory committees will be representative of the community in relation to the tasks delegated to them. The School Board will approve the members of a committee and the method of their selection, upon the recommendation of the Superintendent.
- C. Citizens' advisory committees will serve in an advisory capacity only, proposing recommendations based on analysis of a problem, and will exist only as long as is 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.
- D. The Superintendent, or the Superintendent's designee, will be an ex-officio member of all advisory committees.

XIII. Amendments to Bylaws

The School Board may temporarily suspend these Bylaws at any regular or special School Board meeting by a majority vote of the School Board members present. Permanent changes to the Bylaws can only be made by an affirmative vote of a majority of the School Board members at any regular or special meeting following twenty days' notice to all School Board members.

XIV. Application of Laws

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

Bylaws Revised: 3/20/18 (Section IX, addition of C. School Board Vacancies)

Bylaws Revised: 1/19/16

Bylaws Revised: 10/27/15

Bylaws Revised: 3/17/15

Bylaws Revised: 1/21/09

Bylaws Revised: 7/12/05

Bylaws Revised: 10/17/00

Bylaws 203 Adopted: 11/17/98 (formerly 9110)

Bylaws Revised: 9/17/96

Bylaws Revised: 10/3/95

Bylaws Revised: 11/16/93

Bylaws Revised: 2/4/86

Bylaws Adopted: 3/1/83

**Legal References**

M.S. 13.01, *et seq.*



M.S. 13D.03  
M.S. 13D.04  
M.S. 47.41, M.S. 47.42  
M.S. 118A.02, Subd. 1  
M.S. 118A.02, Subd. 1(2)  
M.S. 120A.20  
M.S. 120A.24  
M.S. 121A.40, *et seq.*  
M.S. 122A.40  
M.S. 123B.02, Subd. 8; M.S. 275.07  
M.S. 123B.09  
M.S. 123B.11, Subd. 2 and 471.38, Subd. 3  
M.S. 123B.14  
M.S. 123B.77, Subd. 4  
M.S. 123B.84  
M.S. 123B.77  
M.S. 331A.01, Subd. 10

School Board  
INDEPENDENT SCHOOL DISTRICT 279  
Maple Grove, Minnesota