

MATH AND SCIENCE ACADEMY

Adopted: February 6, 2003

Revised: May 31, 2022

101 LEGAL STATUS OF THE SCHOOL DISTRICT

I. PURPOSE

It is a primary principle of this nation that the public welfare demands an educated and informed citizenry. The power to provide for public education is a state function vested in the state legislature and delegated to local school districts. The purpose of this policy is to clarify the legal status of the school district.

II. GENERAL STATEMENT OF POLICY

- A. Math and Science Academy (MSA) is a public corporation subject to the control of the legislature, limited only by constitutional restrictions. MSA has been created for educational purposes.
- B. The legislature has authority to prescribe MSA's powers and privileges, its boundaries and territorial jurisdictions.
- C. MSA has only the powers conferred on it by the legislature; however, MSA's Board of Directors' authority to govern, manage, and control MSA, to carry out its duties and responsibilities, and to conduct the business of MSA includes implied powers in addition to any specific powers granted by the legislature.

III. RELATIONSHIP TO OTHER ENTITIES

- A. MSA is a separate legal entity.
- B. MSA is coordinate with and not subordinate to the county in which it is situated.
- C. MSA is not subservient to municipalities within its territory.

IV. POWERS AND AUTHORITY OF THE SCHOOL DISTRICT

A. Funds

- 1. MSA, through its Board of Directors (BOD), has authority to raise funds for the operation and maintenance of MSA, and authority to manage and expend such funds, subject to applicable law.
- 2. MSA has wide discretion over the expenditure of funds under its control for public purposes, subject to the limitations provided by law.

3. MSA officials occupy a fiduciary position in the management and expenditure of funds entrusted to them.

B. Raising Funds

1. MSA shall, within the limitations specified by law, provide by levy of tax necessary funds for the conduct of MSA, payment of indebtedness, and all proper expenses.
2. MSA may issue bonds in accordance with the provisions of Minn. Stat. Ch. 475, or other applicable law.
3. MSA has authority to accept gifts and donations for school purposes, subject to applicable law.

C. Property

1. MSA may acquire property for school purposes. It may sell, exchange, or otherwise dispose of property which is no longer needed for school purposes, subject to applicable law.
2. MSA shall manage its property in a manner consistent with the educational functions of MSA.
3. MSA may permit the use of its facilities for community purposes which are not inconsistent with, nor disruptive of its educational mission.
4. MSA officials hold school property as trustees for the use and benefit of students, taxpayers and the community.

D. Contracts

1. MSA is empowered to enter into contracts in the manner provided by law.
2. MSA has authority to enter into installment purchases and leases with an option to purchase, pursuant to Minn. Stat. or other applicable law.
3. MSA has authority to make contracts with other governmental agencies and units for the purchase, lease or other acquisition of equipment, supplies, materials, or other property, including real property.
4. MSA has authority to enter into employment contracts. As a public employer, MSA, through its designated representatives, shall meet and negotiate with employees in an appropriate bargaining unit and enter into written collective bargaining agreements with such employees, subject to applicable law.

E. Textbooks, Educational Materials, and Studies

1. MSA, through its BOD and administrators, has the authority to determine what textbooks, educational materials, and studies should be pursued.
2. MSA shall establish and apply the school curriculum.

F. Actions and Suits

1. MSA has authority to sue and to be sued.