

# **MATH AND SCIENCE ACADEMY**

*Adopted: October 21, 1999*

*Revised: September 6, 2003*

*Revised: November 4, 2010*

*Revised: April 17, 2017*

## **201 LEGAL STATUS OF THE BOARD OF DIRECTORS**

### **I. PURPOSE**

The care, management and control of the Math and Science Academy (MSA) is vested by statutory and constitutional authority in the MSA Board of Directors (BOD). The BOD shall carry out the mission of MSA 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 BOD in carrying out its mission.

### **II. GENERAL STATEMENT OF POLICY**

- A. The BOD is the governing body of MSA. As such, the BOD has responsibility for the care, management, and control over MSA.
- B. Generally, elected members of the BOD have binding authority only when acting as a BOD legally in session, except where specific authority is provided to BOD members or officers individually. Generally, the BOD is not bound by an action or statement on the part of an individual BOD member unless the action is specifically directed or authorized by the BOD.

### **III. DEFINITION**

“Board of Directors” and “BOD” means the governing body of the Math and Science Academy.

### **IV. ORGANIZATION AND MEMBERSHIP**

- A. The membership of the BOD shall have a majority of teachers, shall be in accord with Minnesota law and consist of three parents of enrolled students, four certified teachers who are employed full or part-time (0.5 FTE or greater) by MSA, and two community members. All terms of membership begin at the end BOD meeting in June following the appointment and the term shall is for three years

Membership of BOD members is determined by an election. Any staff members who are employed at MSA, including teachers providing instruction under a cooperative, and all parents of children enrolled in the school may participate in the election both as candidates and as electors, unless there is a conflict of interest per Charter school law 124E.07 Sub. 3b.

**B. Election Procedure:**

1. All parents and legal guardian of enrolled students, all staff, and all board members may vote.
2. Three year parent positions shall be given to the parent candidates with the highest vote count.
3. Three year teacher positions shall be given to the teacher candidates with the highest vote count.
4. Three year community member positions shall be given to the candidates with the highest vote count.
5. Election results should be announced the day after the board meeting once the results have been approved.
6. Original Ballots should be retained indefinitely by the school.

**C. There may be other ex-officio members of the BOD as provided by law. The Director and Chief Financial Manager are ex-officio members of the BOD.**

**D. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the BOD.**

**V. POWERS AND DUTIES**

- A. The BOD has powers and duties specified by statute. The BOD's authority includes implied powers in addition to specific powers granted by the legislature.
- B. The BOD exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The BOD shall govern and manage MSA; adopt rules for its organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts.

- D. The BOD shall have the general charge of the business of the school district, its facilities and property, and of the interest of MSA.
- E. The BOD, among other duties, shall perform the following in accordance with applicable law:
  - 1. provide necessary funds for the conduct of MSA, the payment of indebtedness, and all proper expenses of MSA;
  - 2. conduct the business of MSA 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 for school buildings;
  - 6. purchase, sell, and exchange MSA property and equipment as deemed necessary by the BOD for school purposes;
  - 7. provide for payment of claims against the MSA, and prosecute and defend actions by or against the MSA, 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 MSA, its officers and employees
- F. The BOD, at its discretion, may perform the following:
  - 1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs and intercession classes of flexible school year programs;
  - 2. furnish school lunches for pupils and teachers on such terms as the BOD 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 co-curricular and extracurricular activities;
7. receive, for the benefit of the MSA, bequests, donations, or gifts for any proper purpose; and
8. perform other acts as the BOD shall deem to be reasonably necessary or required for the governance of MSA.

***Legal References:***

Minn.Stat. § 123B. 02 (General Powers)

Minn. Stat. § 123B.09 (School Board Powers)

Minn. Stat. § 123B.23 (Liability Insurance)

Minn. Stat. Chapter 124E (Charter Schools)

***Cross References:***

MSA Policy 101 (Legal Status of the School District)

MSA Policy 202 (School Board Officers)

MSA Policy 203 (Operation of the School Board-Governing Rules)