

Adopted: 3/23/98

Revised:

201 LEGAL STATUS OF THE JOINT POWERS (COOPERATIVE) BOARD

I. PURPOSE

The care, management and control of the Cooperative is vested by statutory and constitutional authority in the Joint Powers Board. The Joint Powers Board shall carry out the mission of the school district 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 Joint Powers Board in carrying out its mission.

II. GENERAL STATEMENT OF POLICY

A. The Joint Powers Board is the governing body of the school district. As such, the Joint Powers Board has responsibility for the care, management, and control over programs in the school district.

B. Generally, elected members of the Joint Powers Board have binding authority only when acting as a Joint Powers Board legally in session, except where specific authority is provided to Joint Powers Board members or officers individually. Generally, the Joint Powers Board is not bound by an action or statement on the part of an individual Joint Powers Board member unless the action is specifically directed or authorized by the Joint Powers Board.

III. DEFINITION

“Joint Powers Board” means the governing body of the school district.

IV. ORGANIZATION AND MEMBERSHIP

A. The membership of the Joint Powers Board consists of one elected director from each of the member districts. Alternate members may be selected by the respective appointing school boards to act in place of regular members who are unable to attend any meetings and shall be fully authorized to participate and vote in every way in the absence of the regular member. The term of office is two years.

B. There may be other ex officio members of the Joint Powers Board as provided by law.

C. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the Joint Powers Board.

V. POWERS AND DUTIES

A. The Joint Powers Board has powers and duties specified by statute. The Joint Powers Board's authority includes implied powers in addition to

specific powers granted by the legislature.

B. The Joint Powers Board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.

C. The Joint Powers Board shall superintend and manage the programs of the school Cooperative; adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts.

D. The Joint Powers Board shall have the general charge of the business of the Cooperative, its facilities and property, and of the interest of the schools.

E. The Joint Powers Board, among other duties, shall perform the following in accordance with applicable law:

1. provide necessary funds for the conduct of schools, the payment of indebtedness, and all proper expenses of the school district;
2. conduct the business of the schools and pay indebtedness and proper expenses;
3. make and authorize contracts;
4. employ and contract with necessary qualified teachers and discharge the same for cause;
5. manage the programs; adopt rules for their organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts;
6. provide services to promote the health of its pupils;
7. provide school buildings and erect needed buildings;
8. purchase, sell, and exchange school district property and equipment as deemed necessary by the Joint Powers Board for school purposes;
9. provide for payment of claims against the Cooperative, and prosecute and defend actions by or against the Cooperative, in all proper cases;
10. employ and discharge necessary employees and contract for other services;
11. provide for transportation of pupils to and from school, as governed by statute; and

12. procure insurance against liability of the Cooperative, its officers and employees.

F. The Joint Powers Board, at its discretion, may perform the following:

1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs and inter session classes of flexible school year programs;

2. furnish school lunches for pupils and teachers on such terms as the Joint Powers Board 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 Cooperative facilities for community purposes that will not interfere with their use for Cooperative purposes;

6. authorize co-curricular and extracurricular activities;

7. receive, for the benefit of the Cooperative, bequests, donations, or gifts for any proper purpose; and

8. perform other acts as the Joint Powers Board shall deem to be reasonably necessary or required for the governance of the schools.

Legal References:

Minn. Stat. § 471.59 (Joint Powers Board)

Minn. Stat. § 471.705

Minn. Stat. § 123.34