

101 Legal Status of the School District

The following is reproduced from Minnesota Statutes, 1994, 136D.81, Subdivision 136D.81 Dakota, Goodhue County District, (also Scott, Rice, and Washington Counties).

Subdivision 1. Agreements. Two or more of the special school district numbered 6 and the independent school districts numbered 191-Burnsville, 192-Farmington, 194-Lakeville, 195-Randolph, 196-Rosemount/Apple Valley/Eagan, 197-West St. Paul/Mendota Heights/Eagan, 199-Inver Grove Heights, 200-Hastings, 252-Cannon Falls, and 256-Red Wing, located wholly or partly in the counties of Dakota or Goodhue, whether or not contiguous, may enter into agreements to accomplish jointly and cooperatively the acquisition, betterment, construction, maintenance, and operation of technical colleges. Each school district which becomes a party to such an agreement is hereinafter referred to as "participating school district." The agreement may provide for the exercise of such powers by the school board of one of the school districts on behalf of and for the benefit of other school districts, or by a joint school board created as set forth in sections 136D.81 to 136D.92. If the powers are to be carried out by one of the school districts, it shall in doing so have the same powers and duties and be subject to the same limitations as are herein provided for joint school boards.

In addition to the districts noted above, legislation passed in 1971 enables districts 716-Belle Plaine, 717-Jordan, 719-Prior Lake, 720-Shakopee, 721-New Prague, and 394-Montgomery to join Intermediate School District 917. Legislation passed in 1973 enables District 659-Northfield to join District 917. Legislation passed in 1995, 136D.93, Other Memberships and Powers, provides for membership of the school districts defined in section 471.59.

I. PURPOSE

A primary principal of this nation is 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. The school district is a public corporation subject to the control of the legislature, limited only by constitutional restrictions. The school district has been created for educational purposes.

- B. The legislature has authority to prescribe the school district's powers and privileges, its boundaries and territorial jurisdictions.
- C. The school district has only the powers conferred on it by the legislature; however, the school board's authority to govern, manage, and control the school district, to carry out its duties and responsibilities, and to conduct the business of the school district includes implied powers in addition to any specific powers granted by the legislature.

III. RELATIONSHIP TO OTHER ENTITIES

- A. The school district is a separate legal entity.
- B. The school district is coordinate with and not subordinate to the county(ies) in which it is situated.
- C. The school district is not subservient to municipalities within its territory.

IV. POWERS AND AUTHORITY OF THE SCHOOL DISTRICT

A. Funds

- 1. The school district, through its school board, has authority to raise funds for the operation and maintenance of its schools, and authority to manage and expend such funds, subject to applicable law.
- 2. The school district has wide discretion over the expenditure of funds under its control for public purposes, subject to the limitations provided by law.
- 3. School district officials occupy a fiduciary position in the management and expenditure of funds entrusted to them.

B. Raising Funds

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

C. Property

1. The school district 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. The school district shall manage its property in a manner consistent with the educational functions of the district.
3. The school district may permit the use of its facilities for community purposes which are not inconsistent with, nor disruptive of, its educational mission.
4. School district officials hold school property as trustees for the use and benefit of students, taxpayers and the community.

D. Contracts

1. The school district is empowered to enter into contracts in the manner provided by law.
2. The school district has authority to enter into installment purchases and leases with an option to purchase, pursuant to Minn. Stat. Section 465.71 or other applicable law.
3. The school district 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.

E. Textbooks, Educational Materials, and Studies

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

F. Actions and Suits

The school district has authority to sue and to be sued.

Legal References: Minn. Const. art. 13, § 1

Minn. Stat. Ch. 123B (School Districts, Powers and Duties) Minn. Stat. Ch. 179A (Public Employment Labor Relations) Minn. Stat. § 465.035 (Conveyance or Lease of Land) Minn. Stat. §§ 465.71; 471.345; 471.6161; 471.6175; 471.64 (Rights, Powers, Duties of Political Subdivisions) *Minnesota Association of Public Schools v. Hanson*, 287 Minn. 415, 178 N.W.2d 846 (1970) *Independent School District No. 581 v. Mattheis*, 275 Minn. 383, 147 N.W.2d 374 (1966) *Village of Blaine v. Independent School District No. 12*, 272 Minn. 343, 138 N.W.2d 32 (1965) *Huffman v. School Board*, 230 Minn. 289, 41 N.W.2d 455 (1950) *State v. Lakeside Land Co.*, 71 Minn. 283, 73 N.W.970 (1898)