



Adopted: August 21, 1996

Revised: April 20, 2005; October, 2014

201 LEGAL STATUS OF THE BOARD

I. PURPOSE

The care, management, and control of EMID integration programs is vested by statutory and constitutional authority in the EMID Joint Powers Board, hereinafter referred to as the EMID Board. The Board shall carry out the mission of the 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 Board in carrying out its mission.

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITION

“EMID Board” means the governing body of the district.

IV. ORGANIZATION AND MEMBERSHIP

- A. Membership of the Board consists of one elected current or former board member from each of the member districts appointed by the respective school boards. The term of office is one year from January 1 to December 31. Board members serve at the pleasure of their member districts and until their successors are duly appointed.
- B. There may be ex-officio members of the Board as provided by law. The Executive Director is a non-voting, ex-officio member.
- C. A majority of voting members constitutes a quorum. An act of the majority of a quorum is an act of the Board.



V. POWERS AND DUTIES

- A. The Board has powers and duties specified by statute. The Board’s authority includes implied powers in addition to specific powers granted by the legislature.
- B. The Board exercises administrative functions. It also has certain powers of a legislative character and other powers of a quasi-judicial character.
- C. The Board shall develop policy for the integration programs, adopt policies for their organization, governance, and instruction, approve curriculum, and make and authorize contracts.
- D. The Board shall have the general charge of the business of the district, its facilities and property, and of the interest of the integration programs.
- E. The Board, among other duties, shall perform the following in accordance with applicable law:
 - 1. Conduct the business of the district and pay indebtedness and proper expenses;
 - 2. Employ and contract with necessary qualified staff and discharge the same for cause;
 - 3. Provide for payment of claims against the district, and prosecute and defend actions by or against the district, in all proper cases;
 - 4. Procure insurance against liability of the district, its officers, and employees.
- F. The Board, at its discretion, may perform the following:
 - 1. Receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose;
 - 2. Perform other acts as the Board shall deem to be reasonably necessary or required for the governance of the district.

Legal References: Minn. Stat. § 123A.22 (Cooperative Centers)
Minn. Stat. § 123B.02 (General Powers)
Minn. Stat. § 123B.09 (School Board Powers)
Minn. Stat. § 123B.14 (School District Officers)
Minn. Stat. § 123B.23 (Liability Insurance)
Minn. Stat. § 123B.49 (Co curricular and Extracurricular Activities; Insurance)
Minn. Stat. § 123B.51 (Schoolhouses and Sites; Access for Noncurricular Purposes)
Minn. Stat. § 123B.85 (Definition)
Jensen v. Indep. Consol. Sch. Dist. No. 85, 160 Minn. 233, 199 N.W. 911 (1924)

Cross References: EMID Policy 101 (Name of the School District)
EMID Policy 101.1 (Legal Status of the School District)
EMID Policy 202 (Joint Powers Board Officers)
EMID Policy 203 (Operation of the Joint Powers Board-Governing Rules)
EMID Policy 205 (Open Meetings and Closed Meetings)
MSBA Service Manual, Chapter 3, Joint Powers Board and its Powers
Fourth Amended EMID Joint Powers Agreement and Second Amended EMID Board Operating Procedures