

# **201.01 Board Powers and Responsibilities**

Friday, August 11, 2023

## **POWERS AND RESPONSIBILITIES OF THE BOARD**

The board of the Banner County School District, acting on behalf of the school district, shall have jurisdiction over school matters within the territory of the school district.

The board is empowered to make policy for its own governance, for employees, for students and for school district facilities. The board is also empowered to enforce its policies. The board may, through its quasi-judicial power, conduct hearings and rule on issues and disputes confronting the school district.

The board has these powers and all other powers expressly granted to it in federal and state law as well as the powers that can be reasonably implied from the express powers.

It is understood that members of the board have authority only when acting as a board legally in session. The board shall not be bound in any way by any action or statement on the part of any individual board member, except when such statement or action is in pursuance of specific, formal instructions from the board.

The board is authorized to govern the school district which it oversees. As the governing board of the school district, the board has three duties to perform: legislative duty, executive duty, and evaluative duty.

As a representative of the citizens of the school district, the board is responsible for legislating policy for the school district. As a policy making body, the board has jurisdiction to enact policy with the force and effect of law for the management and operation of the school district.

It is the responsibility of the board, under the board's executive duty, to select its chief executive officer, the superintendent, to operate the school district on the board's behalf. All references to "superintendent" in this policy manual shall mean the "superintendent or the superintendent's designee" unless otherwise stated in

the board policy. The board delegates to the superintendent its authority to carry out board policy, to formulate and carry out rules and regulations and to handle the administrative details in a manner which supports and is consistent with board policy. The board may enter into certain contracts as permitted by law for periods not to exceed four years.

The board has a responsibility to review the education program's performance under its evaluative duty. The board regularly reviews the education program and associated support services. The review includes a careful study and examination of the facts, conditions and circumstances surrounding the amount of funds received or expended and the education program's ability to achieve the board's educational philosophy for the school district.

No board member shall vote on the hiring or reemployment of an individual employee who is related to said board member by blood or marriage. However, a board member may vote on the hiring or reemployment of a group of teachers notwithstanding the fact that one person within that group may be related by blood or marriage.

Legal Reference:

Neb. Statute 79-261 to 263

79-501 to 524

79-734

NDE Rule 10.004.01

Cross Reference:

102 Educational Philosophy of the District

104 Educational and Operational Planning

205 School Board Policy Process

301.03 Succession of Authority to the Superintendent

601 Goals and Objectives of Instructional Plan