

Adopted: 4/16/2026

Revised:

**ROCHESTER BEACON ACADEMY
POLICY No. 201
LEGAL STATUS OF THE CHARTER SCHOOL BOARD OF DIRECTORS**

I. PURPOSE

The care, management, and control of Rochester Beacon Academy ("RBA") is vested by statutory and constitutional authority in the Board of Directors ("board"). The board shall carry out the mission of RBA 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 RBA. As such, the board has responsibility for the care, management, and control over RBA.
- B. Generally, members of the board have binding authority only when acting as a board of directors 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 full board.

III. DEFINITION

"Board of directors" means the governing body of RBA.

IV. ORGANIZATION AND MEMBERSHIP

- A. The initial board must not be related parties. The initial board continues to serve until a timely election for members of the ongoing charter school board is held according to the school's Articles and Bylaws under Minnesota Statutes, section 124E.07, subdivision 4. The initial board and school developers must comply with the training requirements in subdivision 7 upon the incorporation of the school.
- B. The initial board must begin the transition to the ongoing board structure by the end of the first year of operation and complete the transition by the end of the second year of operation. The terms of board members shall begin on July 1. Terms shall be three years. The bylaws shall set the number of terms an individual may serve on the board and as an officer of the board. Board elections must be held during the school year but may not be conducted on days when the school is closed.
- C. The number, tenure, and qualifications of the board shall be in accordance with RBA's bylaws and the provisions in this policy.
- D. Resignation or removal of a member of the board shall be governed by RBA's bylaws. Vacancies shall be filled in accordance with RBA's bylaws.
- E. The membership of the ongoing board consists of at least five members. The ongoing board must include:
 - 1. at least one licensed teacher; (No RBA employees shall serve on the board other than teachers under this clause);

2. at least one parent or legal guardian of a student enrolled in RBA who is not an employee of RBA; and
 3. at least one interested community member. A community member serving on the board must reside in Minnesota, must not have a child enrolled in RBA, and must not be an employee of RBA.
- F. To serve as a licensed teacher on the board, an individual must:
1. be employed by RBA or provide at least 720 hours of service under a contract between RBA and a teacher cooperative;
 2. be a qualified teacher as defined under section 122A.16, either serving as a teacher of record in a field in which the individual has a field license, or providing services to students the individual is licensed to provide; and
 3. not serve in an administrative or supervisory capacity for more than 240 hours in a school calendar year.
- G. The board structure must be defined in the bylaws. The board structure may (1) be a majority of teachers under paragraph F. above, (2) be a majority of parents, (3) be a majority of community members, or (4) have no clear majority. The Executive Director may only serve as an ex-officio nonvoting board member.
- H. A contractor providing facilities, goods, or services to RBA must not serve on the board. In addition, an individual is prohibited from serving as a member of the board if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom RBA contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of RBA. An individual may serve as a member of the board if no conflict of interest exists under this paragraph, consistent with this section. A violation of this paragraph renders a contract voidable at the option of the Commissioner of the Minnesota Department of Education or the charter school board of directors. A member of the board who violates this paragraph is individually liable to RBA for any damage caused by the violation.
- “Immediate family member” means any relationship by blood, marriage, adoption, or partnership of spouses, parents, grandparents, siblings, children, first cousins, aunts, uncles, grandchildren, nieces, and nephews.
- I. Any employee, agent, contractor, or board member of the authorizer who participates in initially reviewing, approving, overseeing, evaluating, renewing, or not renewing RBA is ineligible to serve on the board of a school chartered by that authorizer.
- J. An individual is prohibited from serving on more than one charter school board at the same time in either an elected or ex-officio capacity, except that an individual serving as an administrator serving more than one school under Minnesota Statutes, section 124E.12, subdivision 2, paragraph (f), may serve on each board as an ex-officio member.
- K. A majority of voting members constitutes a quorum. The act of the majority of a quorum is the act of the board.

V. BOARD STRUCTURE

- A. RBA's bylaws outline the process and procedures for changing the board's governance structure, consistent with Minnesota Statutes, chapter 317A. The board may change its governance structure only:

1. by a majority vote of the board;
 2. by a majority vote of the licensed teachers employed by RBA as teachers who provide instruction to students, including licensed teachers providing instruction under a contract between RBA and a cooperative; and
 3. with the authorizer's approval.
- B. Any change in board governance structure must conform with the board composition established under this policy and Minnesota Statutes, section 124E.07.

VI. BOARD ELECTIONS

- A. Staff members employed at RBA, including teachers providing instruction under a contract with a cooperative, members of the board, and all parents or legal guardians of children enrolled in RBA are the voters eligible to elect the members of the RBA board of directors.
- B. The board must establish and publish election policies and procedures on the school's website.
- C. The board must notify eligible voters of the school board election dates and voting procedures at least 30 calendar days before the election and post this information on the school's website.
- D. The board must notify eligible voters of the candidates' names, biographies, and candidate statements at least ten calendar days before the election and post this information on the school's website.

VII. POWERS AND DUTIES

- A. The board has the powers and duties set forth in Minnesota Statutes, chapter 317A, except as limited by RBA's Articles of Incorporation, RBA's bylaws, and Minnesota Statutes, chapter 124E and other applicable law. 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 superintend and manage RBA; adopt rules for its organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts.
- D. The board shall have the general charge of the business of RBA, its facilities and property, and of the interest of the school.
- E. The board shall call an annual meeting of the charter school corporation membership. Notification shall be provided in accordance with Minnesota's Open Meeting Law and the Minnesota Nonprofit Corporations Law. Election of members of the board of directors shall take place at the annual meeting.
- F. The board shall perform the following, among other duties, in accordance with applicable law:
 1. The board shall decide and is responsible for policy matters related to operating the school, including budgeting, curriculum programming, personnel, and operating procedures;
 2. The board shall adopt a nepotism policy;

3. The board shall adopt personnel evaluation policies and practices that, at a minimum:
 - a. carry out the school's mission and goals;
 - b. evaluate how RBA's contract goals and commitments are executed;
 - c. evaluate student achievement, postsecondary and workforce readiness, and student engagement and connection goals;
 - d. establish a teacher evaluation process under Minnesota Statutes section 124E.03, subdivision 2, paragraph (h); and
 - e. provide professional development related to the individual's job responsibilities.
 4. conduct the business of the school and pay indebtedness and proper expenses;
 5. employ and contract with necessary qualified teachers and discharge the same for cause;
 6. provide services to promote the health of its pupils;
 7. purchase, sell, and exchange RBA property and equipment as deemed necessary by the board for school purposes;
 8. provide for payment of claims against RBA, and prosecute and defend actions by or against RBA, in all proper cases;
 9. employ and discharge necessary employees and contract for other services;
 10. provide for transportation of pupils to and from school, as governed by statute;
 11. procure insurance against liability of RBA, its officers, and employees; and
 12. cause to be kept at the corporation's registered office originals or copies of:
 - a. Approved minutes and records of all proceedings of the Board of Directors and all committees;
 - b. all financial statements of the corporation; and
 - c. Articles of Incorporation and Bylaws of the corporation, including all amendments and restatements thereof.
- G. The board, at its discretion, may perform the following:
1. provide library facilities, public evening schools, adult and continuing education programs, summer school programs, and intersession classes of flexible school year programs;
 2. furnish school lunches for pupils and teachers on such terms as the board of directors determines;
 3. enter into agreements with one or more other independent school districts to provide for agreed upon educational services;
 4. purchase land or buildings with nonstate funds;

5. lease space from an independent or special school board; other public organization; private, nonprofit, nonsectarian organization; private property owner; or a sectarian organization if the leased space is constructed as a school facility, subject to review and approval by the Commissioner of the Minnesota Department of Education;
6. lease real property from a related party pursuant to Minnesota Statutes, section 124E.13.
7. organize an affiliated nonprofit building corporation to renovate or purchase an existing facility or to construct a new facility pursuant to Minnesota Statutes, section 124E.13;
8. authorize the use of school facilities for community purposes that will not interfere with their use for school purposes;
9. authorize cocurricular and extracurricular activities;
10. receive, for the benefit of RBA, bequests, donations, or gifts for any proper purpose;
11. perform other acts as the board shall deem to be reasonably necessary or required for the governance of RBA; and
12. sue and be sued.

Legal References: Minn. Stat. Chapter 124E (Charter Schools)
Minn. Stat. § 124E.02 (Definitions)
Minn. Stat. § 124E.07 (Board of Directors)
Minn. Stat. § 124E.13 (Facilities)
Minn. Stat. Ch. 317A (Nonprofit Corporations)