

**Burlington School District Policy  
B 5: POWERS OF SCHOOL BOARD**

**Former Policy BBA**

The school board of a school district, in addition to other duties and authority specifically assigned by law:

State Law §563 Powers of school boards

- (1) Shall determine the educational policies of the school district. Board policies shall be of general application to the district, shall be in writing, codified, and made available to the public. Board policies shall be adopted at regular or special school board meetings. A school board shall give public notice of its intent to adopt a board policy, stating the substance of the proposed policy, at least ten days prior to its adoption. A school board may also approve or disapprove rules and regulations proposed by the principal or superintendent for the conduct and management of public schools in the district.
- (2) May take any action, which is required for the sound administration of the school district. The commissioner, with the advice of the attorney general, upon application of a school board, shall decide whether any action contemplated or taken by a school board under this subdivision is required for the sound administration of the district and is proper under this subdivision. The commissioner's decision shall be final.
- (3) Shall have the possession, care, control and management of the property of the school district, subject to the authority vested in the electorate or any school district official.
- (4) Repealed. 1991, No. 103
- (5) Shall keep the school buildings and grounds in good repair, suitably equipped, insured and in safe and sanitary condition at all times. The school board may regulate or prohibit firearms or other dangerous or deadly weapons on school premises. At a minimum, a school board shall adopt and implement a policy pursuant to section 1166 of this title relating to a student who brings a weapon to school.
- (6) Shall have discretion to furnish instruction to pupils who have completed a secondary education and to administer early educational programs.
- (7) May relocate or discontinue use of a school house or facility, subject to the provisions of section 821 and section 822 of this title.
- (8) Shall establish and maintain an adequate system of financial disbursement, accounting, control and reporting procedures that ensures that all payments are lawful and in accordance with a budget adopted or amended by the school board. The school board may authorize a subcommittee or a designated employee of the school board to examine claims against the district for school expenses and draw orders for such as shall be allowed by it payable to the party entitled thereto. Such orders shall state definitely the purpose for which they are drawn and shall serve as full authority to the treasurer to make such payments. It shall be lawful for a school board to submit to its treasurer a certified copy of those portions of the board minutes, properly signed by the clerk and chairman, or a majority of the board, showing to whom, and for what purpose each payment is to be made by the treasurer, and such certified copy shall serve as full authority of the treasurer to make the payments as thus approved.
- (9) Shall establish with the advice and consent of the auditor of accounts and the commissioner, a system of accounts for the proper control and reporting of school district finances and for stating the annual financial condition of the school district.
- (10) Shall prepare and distribute to the electorate, not less than ten days prior to the district's annual meeting, a report of the conditions and needs of the district school system, including the superintendent's supervisory union treasurer's and school district treasurer's annual reports for the previous school year, a summary of

the town auditor's report as to fiscal years which are audited by town auditors as required by 24 V.S.A. Section 1681, a summary of the public accountant's report as to fiscal years which are audited by a public accountant, and a notice of the time and place where the full report of the town auditor or the public accountant will be available for inspection and copying at cost. Each town auditor's and public accountant's report shall comply with 24 V.S.A. Section 1683(a).

- (11) Shall prepare and distribute annually a proposed budget for the next school year according to such major categories as may from time to time be prescribed by the commissioner. Any proposed budget shall show all revenues and expenses and shall be prepared and distributed at least ten days before a sum of money is voted on by the electorate.
- (12) Shall employ such persons as may be required to carry out the work of the school district and dismiss any employee when necessary. The school board shall consider the recommendation of the superintendent before employing or dismissing any person.
- (13) Shall prepare annually, on or before August 5, a report for the school district containing, on forms prescribed and furnished by the commissioner, a classified statement under oath of the actual cash expenditures of the school district for the preceding school year for school purposes, and such other information as the commissioner prescribes. Such report shall be prepared in triplicate, one copy shall be retained by the superintendent, and one copy shall be sent to the school district clerk and the other sent to the commissioner on or before August 15. A district shall not be entitled to receive any portion of school money distributed by the state unless such returns are made.
- (14) Shall provide, at the expenses of the district, subject to the approval of the superintendent, all text books, learning materials, equipment and supplies.
- (15) Shall exercise the general powers given to a legislative branch of a municipality.
- (16) May execute contracts on behalf of the school district by its chairman, or any person designated whose appointment is recorded in the minutes of the board.
- (17) Shall employ a public accountant at least once in each period of three years to audit the financial statements of the school district. The school board may authorize an audit in conjunction with another school district or supervisory union.
- (18) [Repealed.]
- (19) Shall allow any high school student, who meets the academic requirements of the high school, to graduate and receive a diploma in less than four years.
- (20) Shall establish policies and procedures designed to avoid the appearance of board member conflict of interest. [1991 Law Supplement]
- (21) Shall have the authority to engage in short-term borrowing to cover the costs of those portions of projects approved by the state board and which will be reimbursed by the state board under sections 3447-3456 of this title but which payments will be delayed. However, the board shall borrow under this subdivision only amounts which it would receive if the state board could fund its obligation and may borrow no earlier than the time it would have received the funds. The state shall not pay for costs of borrowing funds under this subdivision.
- (22) May apply for grants and may accept and expend grants or gifts. The board shall include, in its annual report, a description of all grants or gifts accepted during the year and associated expenditures.
- (23) May, at the expense of the district, present informational materials to the electorate on any matter to be voted. However, such materials shall be limited to those that are reasonable designed to inform, educate and explain to the electorate the board's position on the matter. Added 1969, No. 298 (Adj.Sess.) Section 40, amended 1971, No. 200 (Adj.Sess.); 1975, No. 48, Section 6, eff. April 15, 1975; 1977, No. 33, Section 1; 1979, No. 5; 1985, No. 71, Section 3; 1987, No. 15, Section 1; No. 68, Section 5; 1987, No. 228 (Adj.Sess.), Section 12; 1989, No. 143 (Adj.Sess.), Section 2; No. 188 (Adj.Sess.), Section 4; No. 202 (Adj.Sess.), Section 3; 1991, No. 103, Sections 1, 2; 1991, No. 176 (Adj.Sess.), Section 2; No. 196

(Adj.Sess.), Section 2; 1995, No. 35, Section 2; No. 62, Section 62, eff. April 26, 1995; 1995, o. 155 (Adj.Sess.), Sections 2,3; No. 185 (Adj.Sess.), Sections 7a, 7b, 68, eff. May 22, 1996.

The City Charter Powers of the School Board are as follows:

Said board shall have the care and custody of all the property belonging or used for the several public schools of said city and such care shall include authority to make ordinary repairs on school property and finish any unfinished apartments and make such alterations in any school building, as said board shall deem best; shall employ teachers and fix their compensation; have the management and control of all the public schools of said city; examine and allow all claims arising there from and draw warrants for the payment of such claims upon the city treasurer.

--City Charter § 167 [Duties]

Said board shall have in general all the powers and authority, and perform all the duties, pertaining to school officers in towns of this state, not inconsistent with the provisions of this act. It may establish graded schools and provide for instruction in the sciences and in the higher branches of a thorough education.

--City Charter § 169 [Powers generally; authority to establish graded schools.]

Said board may establish such by-laws and regulations for carrying out the powers herein granted, as are consistent with the provisions of this act and the general law of this state.

--City Charter § 170 [Authority to establish by-laws and regulations.]

[This policy shall be automatically amended as the above referenced legislation is amended by the Vermont legislature.]

State Law Review & Updates:

March 9, 1995	Committee review
June 9, 1998	First reading
June 23, 1998	Second & final reading
March 25, 2003	Committee review
March 28, 2006	Committee review
April 4, 2006	First reading
May 9, 2006	Second reading

City Charter Review & Updates:

March 9, 1995	Committee review
June 9, 1998	First reading
June 23, 1998	Second & final reading
March 28, 2006	Committee review
April 4, 2006	First reading
May 9, 2006	Second & final reading