



Provo City School District
Policy Series 1000: Board of Education

Policy No. 1005

Board Powers and Duties

Promote Education: The Board has the legal power and duty to do all things necessary for the maintenance, prosperity and success of the schools and for the promotion of education and to exercise all powers given by statute. The Board’s legal powers and duties include the actions set forth in this policy, but are not necessarily limited to the listed powers and duties.

Govern: The Board of Education recognizes that under Utah law “it is the province of the Board of Education to determine what things are detrimental to the successful management, good order, and discipline of the schools and the rules required to produce” successful management, good order, and discipline in the schools.

Adopt Policies: Adopt such policies, rules, regulations, and bylaws as the Board may deem proper for the operation of the Board and for the control and management of the district’s schools.

Levy taxes: Establish tax rates each year and submit the proposed rate to the county legislative body in which the district is located according to statutory procedures

Annual budget: Prepare, adopt, and file a budget for the next succeeding fiscal year with the county legislative body in which the district is located as required by statute.

Bequests: Receive bequests and donations or other monies or funds which are made for educational purposes.

Acquisition and Ownership of Property: Acquire and hold real and personal property in the name of the district, inclusive of all rights and titles, and lease and lease with an option to purchase property. The Board of Education has the direction and control of all school property in the district.

Eminent Domain: Exercise the right of eminent domain to acquire property.

Employ Personnel: Employ by contract a Superintendent and Business Administrator. Delegate to the superintendent the employment of principal(s), teacher(s), or other executive officer(s) and the setting of salary schedules therefore.

Close Schools and Change School Boundaries: Close schools or suspend operation of schools or change school attendance area boundaries as determined to be appropriate by the Board of Education after appropriate public notice and hearing as required by statute (**See policy 1450**).

Sue and be Sued: Sue and be sued in the name of the district. The district shall defend, hold harmless and indemnify the Board from any and all demands, claims, suits, actions and legal proceedings brought against the Board in its official capacity as agent and employee of the District, provided the Board was acting within the scope of employment and excluding criminal litigation and such liability coverage is within authority of the District to provide under state law.

Fulfill Other Statutory Duties and Exercise Other Statutory Powers: The Board also has the duty to comply with such other duties as are set forth in the laws and regulations of Utah and the United States, and also may exercise the powers and authorities established by such laws and regulations.

Legal References

Synopsis

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| Utah Code 53G-4-402 | Powers and duties generally |
| Utah Code 53F-8-201 | Annual certification of tax rate proposed by local school board -- Inclusion of school district budget -- Modified filing date |
| Utah Code 53F-8-202 | Levy of tax -- Collection and deposit |
| Utah Code 53G-4-401 | Boards of education are bodies corporate -- Seal -- Authority to sue -- Conveyance of property -- Duty to residents of local school board member's district -- Establishment of public education foundation |
| Utah Code 53G-11-202 | Employment of school personnel -- Length of contact -- Termination for cause -- Individual contract of employment -- Employee acknowledgment of liability protection |
| Utah Code 53G-4-301 | Local superintendent of schools -- Appointment -- Qualifications -- Term -- Compensation |
| Utah Code 53G-4-302 | Business Administrator -- Term -- Oath |

Board Approved:

August 13, 2013

Revised:

October 8, 2024