

## **Sparta Area School District**

### Article 108 - Powers of the Board of Education

The powers of the Board of Education are conferred upon the School Board by the Statutes of the State of Wisconsin. These powers are recognized by the School Board to be:

1. Those expressly granted by the Statutes.
2. Those that may fairly be implied in the powers expressly granted.
3. Those essential to the accomplishment of the purpose for which the Sparta Area School District was created.

Wisconsin Act 27 (1995) expanded the powers of school boards so that the statutory duties and powers of school boards shall be broadly construed to authorize any action that is within the comprehensive meaning of the terms of the duties and powers of the school board, if the action is not prohibited by Wisconsin or federal law.

In addition, school boards constitute an independent delegation of statutory authority and may do all things reasonable to promote the cause of education, including establishing, providing and improving school district programs, functions and activities for the benefit of pupils.

It is recognized by the Board of Education that in the utilization of these powers the utmost discretion must be used and great care taken to avoid arbitrary, capricious, unreasonable or discriminatory acts.

The Board maintains the right, subject to statute and regulation, to employ, re-employ, promote, dismiss or demote employees. However, the Board delegates to the superintendent the authority to accept resignations of all employees, and the authority to terminate any employee other than an employee who is covered by an individual teaching or administrative contract.

As an individual, a School Board member has no legal authority since the statutes assign all powers, duties and responsibilities to the Board of Education as an entity.

Legal Reference: Wisconsin Statutes 118.001, 120.12, and 120.13  
1995 Wisconsin Act 27

Cross Reference:

Adopted:

Revised: November 23, 2004  
December 21, 2010  
October 23, 2012