# Board Legal Status 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.

*Utah Code § 53G-4-402(23) (2026)*

**Impacts on Families-**

Before adopting a policy or taking other formal action, the Board shall consider the impact that the proposed policy or action may have on family health, stability, and formation.

*Utah Code § 53G-4-402(29) (2026)*

**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.

*Beard v. Board of Education, 16 P.2d 900 (Utah 1932)*

**Adopt rules-**

Adopt such policies, regulations, and bylaws as the Board deems proper for the operation of the Board and for the control and management of the District's schools.

*Utah Code § 53G-4-402(16), (17) (2026)*

**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:

*Utah Code § 53F-8-201 (2019) Utah Code § 53F-8-202 (2018) Utah Code § 53F-8-402 (2019)*

**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.

*Utah Code § 53F-8-201 (2019)*

**Bequests-**

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

*Utah Code § 53G-4-402(14) (2025)*

**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.

*Utah Code § 53G-4-401(4) (2019)*

**Eminent domain-**

Exercise the right of eminent domain to acquire property.

*Board of Education of South Sanpete School District v. Barton, 617 P.2d 347 (Utah 1980). Olsen v. Board of Education of the Granite School District, 571 P.2d 1336 (Utah 1977).*

**Employ personnel-**

Employ by contract a Superintendent, Business Administrator, Principal(s), teacher(s), or other executive officer(s) and set salary schedules therefor.

*Utah Code § 53G-11-202 (2018) Utah Code § 53G-4-301 (2018) Utah Code § 53G-4-302 (2012)*

**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.

*Allen v. Board of Education Weber County School District 236 P.2d 756 (Utah 1951) Save Our Schools v. Board of Education of Salt Lake City, 2005 UT 55 Utah Code § 53G-4-402(24) (2026)*

**Sue and be sued-**

Sue and be sued in the name of the District.

*Utah Code § 53G-4-401(4) (2019)*

**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.