

AA - SCHOOL DISTRICT LEGAL STATUS

Category O

The legal basis for education is vested in the will of the people as expressed in the Constitution of New Hampshire, the statutes* pertaining to education, court interpretation of these laws, the powers implied in them, and the rules and regulations of the State Board of Education.

The Mason School District (the District) is a separate and distinct political subdivision of the State of New Hampshire (the State) and is legally organized as a municipal corporation by the State.

In accordance with New Hampshire Revised Statutes Annotated (RSA) Chapter 194:1, the geographical boundaries of the Town of Mason, New Hampshire define and constitute the Mason School District.

Board policies are established by the Mason School Board, which serves as an agent of the District.

The School District has adopted Official Ballot Voting and is subject to the requirements of RSA 40:13. Funds for school operating expenses are approved by a majority of qualified voters present and voting at the annual School District meeting, except that bond issues require a two-thirds vote.

Statutory/Case Law References:

New Hampshire Constitution, Pt. 2 Article 83
Claremont School District vs. Governor, 138 NH 183 (1993)
RSA Chapter 33, Municipal Finance Act
RSA 194:2, School Districts to be Corporations
RSA 195:6, Powers and Duties of Cooperative School Districts
RSA 197:1, Annual School District Meetings
RSA 40:13, Use of Official Ballot
Clough v. Osgood 37 NH 444 (1935)

**The majority of state laws on education are in RSA Chapters 186 through 200H.

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