

## SCHOOL DISTRICT LEGAL STATUS

"Each town shall constitute a single district for school purposes; provided that districts organized under special acts of the legislature may retain their present organization, and the word "town," wherever used in the statutes in connection with the government, administration, support or improvement of the public schools, shall mean district."

The school district is an independent unit of government - "It is a political subdivision of the state" (Clough v Osgood 87 N.H. 444, 182A 1689). As such, the school district derives its powers from the provisions made by the state legislature and it is subject to the restrictions of the legislature.

The school district exists as a corporate entity - quite separate and apart from other units of local government. All school districts are considered by statute to be corporations "with power to sue and be sued, to hold and dispose of real and personal property for the use of the schools therein, and to make necessary contracts in relation thereto."

The school district is the responsible fiscal entity which is the source of all educational activity.

**Statutory/Case Law References:**

New Hampshire Constitution, Pt. 2 Article 83

RSA 197:1

RSA 194:2

FMRSD

Adopted: 9/11/72

Revised: 11/9/98

Reviewed: 12/07