



## Legal Requirements for School Board Members

### I. To qualify for election to your local school board you must be:

- at least 21 years old
- an eligible voter
- district resident for at least 30 days (Minn. Stat. 204B.06, Subd. 1)
- not a convicted sex offender (Minn. Stat. 205A.06, Subd. 1b)
  - School board members are elected to 4-year terms and take office the first Monday in January (Minn. Stat. 123B.09, Subd. 1).

### II. By law, the school boards in Minnesota are:

- made up of either 6 or 7 members. Some exceptions have been created by special legislation, often for consolidated districts. (M.S. 123B.09, Subd.1)

### III. A conflict of interest if you are a board member and:

- expect to make over \$8,000 as an employee of the district in any fiscal year or (Minn. Stat. 123B.195)
- have a personal financial interest in the sale, lease or contract with the district (there are exceptions) (Minn. Stat. 471.87 and Minn. Stat. 471.88) or
- hold another elected position except township board (Op. Att’y Gen. 358 Dec. 18, 1970)

### IV. Board Authority

Minn. Stat. 123B.02, Subd. 1, states that “the board must have the general charge of the business of the district, the schoolhouses, and of the interests of the schools thereof. The board’s authority to govern, manage, and control the district; to carry out its duties and responsibilities; and to conduct the business of the district includes implied powers in addition to any specific powers (of which there are many) granted by the legislature.”

The board’s authority must be reconciled with Minn. Stat. 123B.143 which states that all districts maintaining a classified secondary school must employ a superintendent. A number of specific duties of the superintendent are noted in the statute.