



Statutory Considerations for School Board Members

Qualifications:

To be a school board candidate, an individual must:

- Be at least 21 years old when the term begins.
- Be an eligible voter.
- Reside in the district for at least 30 days before the election ([Minn. Stat. 204B.06, Subd. 1](#)).
- Not be registered as a convicted sex offender ([Minn. Stat. 205A.06, Subd. 1b](#); [Minn. Stat. 243.166](#)).

General Information:

- School board members are elected to 4-year terms and take office the first Monday in January (Minn. Stat. 123B.09, Subd. 1).
- School board members who are appointed or elected through a special election may take office at different times.
- School boards are made up of either 6 or 7 members. Some exceptions have been created by special legislation, often for consolidated districts. ([Minn. Stat. 123B.09, Subd. 1](#)).

Conflict of Interest/Office Incompatibility:

An individual may have a conflict of interest or hold an office incompatible with serving as a school board member if they:

- Expect to make more than \$20,000 as an employee of the district in any fiscal year they serve as a school board member ([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](#); [Minn. Stat. 471.88](#)), or
- Hold another elected position except township board (Op. Att'y Gen. 358 Dec. 18, 1970).

Board Authority:

[Minn. Stat. 123B.02, Subd. 1](#) states, "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 granted by the legislature."

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

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