215 ADDRESSING SCHOOL BOARD MEMBER VIOLATIONS

I. PURPOSE

~~The school board and each of its members are committed to faithful compliance with the provisions of law. The school board recognizes that alleged willful and/or continuing violations of law must be addressed~~.

The purpose of this policy is to establish expectations for school board member accountability and provide a fair, consistent, and legally compliant process for considering the removal of a school board member or officer for proper cause, as authorized by Minnesota law.

II. GENERAL STATEMENT

~~In accordance with Minnesota Statute 123B.09 subd. 9, the board may remove, for proper cause, any member or officer of the board and fill the vacancy; but such removal must be by a concurrent vote of at least four members, at a meeting of whose time, place, and object the charged member has been duly notified, with the reasons for such proposed removal and after an opportunity to be heard in defense against the removal.~~

The school board recognizes that its members are elected by the community and entrusted with the responsibility to govern the school district in accordance with applicable laws and board policies.

The board is committed to upholding the integrity of public office while respecting the rights and responsibilities of each elected member. Removal from office is a serious action that shall be considered only when supported by proper cause and conducted in accordance with Minnesota Statute section~~s~~ 123B.09, subdivision 9.

III. GROUNDS FOR REMOVAL

The school board may consider the removal of a member or officer when credible information indicates conduct that may constitute proper cause under Minnesota law.

Allegations involving willful or continuing violations of applicable law, misconduct in office, or failure to fulfill legally required duties may warrant consideration, provided the conduct meets the applicable legal standard for removal.

Any determination of proper cause shall be based on the specific facts, applicable law, and advice of legal counsel.

IV. BOARD ACTION AND VOTE

The removal of a school board member or officer shall be determined by formal action of the school board at a duly convened meeting. Following notice to the affected member, an

opportunity to be heard in defense against the proposed removal, and consideration of the circumstances, a motion to remove the member or officer may be brought before the board.

In accordance with Minnesota Statute section ~~§~~ 123B.09, subdivision 9, removal shall require the concurrent affirmative vote of at least four members of the school board. If the motion does not receive the required number of affirmative votes, the member or officer shall not be removed.

Legal References: *Minn. Stat. §~~MN~~ 123B.09; Subd. 9 (Removing Board Members)*

Policy Reviewed: *11.05.2026 ~~01.19.2024~~*
Policy Adopted: *01.24.2024*
Policy Revised: *12.08.2021*