

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-EIGHTH LEGISLATURE**

**S.F. No. 77**

(SENATE AUTHORS: DIBBLE, Torres Ray, Dziedzic, Hayden and Champion)

DATE	D-PG	OFFICIAL STATUS
01/22/2013	80	Introduction and first reading Referred to Education

A bill for an act

relating to education; updating board membership to conform with Laws 2006; authorizing the Minneapolis School Board to remove a member by a majority vote; amending Minnesota Statutes 2012, section 128D.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 128D; repealing Minnesota Statutes 2012, section 128D.14.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2012, section 128D.05, subdivision 1, is amended to read:

Subdivision 1. **Number, term, pay.** (a) The board of education of such district shall consist of ~~seven directors~~ six members elected by district and three members elected at large. The term of office of each director shall be four years or until a successor is elected and qualified. The directors shall receive such compensation as may be fixed by the board of education.

(b) ~~The governing body of Special School District No. 1 may provide for election of four of its directors in 1994 and subsequent years for four-year terms, and election of three of its directors in 1996 and subsequent years for four-year terms. To accomplish this change, the governing body may provide that the terms of office for directors elected in 1991 will expire January 1, 1995, and that the terms of office for directors to be elected in 1993 will expire January 1, 1997~~ The school board shall designate each election district by number. Three districts must have odd numbers and three districts must have even numbers. The board may provide for election districts that correspond to the Minneapolis Park Board election districts or may designate different district boundaries for the school election districts, except that each school election district must be as equal in population as practicable and composed of compact, contiguous territory. When districts are redrawn

2.1 following a census, members continue to serve until the expiration of the term to which  
2.2 they were elected.

2.3 (c) A candidate for school board must file an affidavit of candidacy to be elected as a  
2.4 school board member for the election district where the candidate resides or for one of the  
2.5 at-large seats. A candidate must indicate on the affidavit the number of the district from  
2.6 which the candidate seeks election, or if applicable, that the candidate seeks one of the  
2.7 offices elected at large.

2.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.9 Sec. 2. **[128D.141] BOARD MEMBER REMOVAL.**

2.10 The board may remove, for proper cause, any member or officer of the board and fill  
2.11 the vacancy; but the removal must be by a concurrent vote of a majority of members, at  
2.12 a meeting of whose time, place, and object the charged member has been duly notified,  
2.13 with the reasons for the proposed removal and after an opportunity to be heard in defense  
2.14 against the removal.

2.15 **EFFECTIVE DATE.** This section is effective January 1, 2014.

2.16 Sec. 3. **REPEALER.**

2.17 Minnesota Statutes 2012, section 128D.14, is repealed.

2.18 **EFFECTIVE DATE.** This section is effective January 1, 2014.

APPENDIX

Repealed Minnesota Statutes: 13-0409

**128D.14 BOARD MEMBER REMOVAL LAW DOES NOT APPLY.**

The provisions of section 123B.09, subdivision 9, concerning the removal of a board member or officer of an independent school district, shall not be applicable to the special independent school district of Minneapolis, established under the provisions of this chapter.