

## **Wrenshall ISD 100 Wrenshall Board of Education Organizational Meeting**

Monday, January 5, 2026 - 6:00 PM

Wrenshall School Music Room

1. Call to Order  
Current Chairperson
2. Administer Oath of Office  
Current Chairperson
3. Roll Call  
Current Chairperson
4. Adoption of Agenda  
Current Chairperson
5. Election of Officers for 2026  
Current Chairperson
  - a. Election of Chairperson  
Current Chairperson
  - b. Election of Vice-Chairperson  
Newly Elected Chairperson
  - c. Election of Clerk  
Newly Elected Chairperson
  - d. Election of Treasurer  
Newly Elected Chairperson
6. Action Items  
Chair
  - a. Designate Depositories of Funds  
Newly Elected Chairperson  
The superintendent and business manager may deposit funds in approved financial institutions.
  - b. Authorize Electronic Fund Transfers  
Newly Elected Chairperson  
The business manager, and superintendent should be authorized to transfer district funds under the direction of the Board of Education.
  - c. Designate Official Newspaper  
Newly Elected Chairperson

The district must publish legal records in a qualified newspaper if such a publication is available. The designation of the official newspaper must occur by July 1 each year.

- d. Designate Independent Auditor  
Newly Elected Chair
  - e. Designate Legal Representation  
Newly Elected Chairperson  
The Board designates the law firms for which the Superintendent or Board Chair may incur billable hours.
  - f. Set Board Director Compensation  
Newly Elected Chairperson  
The Board has discretion over setting an annual stipend, per meeting stipend, and officer stipends.
  - g. Set Mileage Reimbursement Rate For Official Business  
Newly Elected Chairperson  
The 2025 Internal Revenue Service reimbursement rate is 70 cents per mile.
  - h. Designate Site for Electronic Sale of Surplus Supplies, Materials, and Equipment  
Frank Schill  
The designated online auction site will be utilized to dispose of obsolete materials in accordance with Policy 802.
  - i. Set Meeting Recording Guidelines  
Newly Elected Chairperson  
The Board currently has no obligation to provide live, remote video access to any meeting. The recording and posting of completed meetings is also at the discretion of the board.
7. Set Annual Meeting Calendar  
Newly Elected Chairperson  
The meeting calendar is set by the Board Chair.
  8. Appoint Standing Board Committees  
Newly Elected Chairperson  
The standing committees are expected to meet on a regular or semi-regular basis to fulfill each committee's mission. Irregular business can be conducted by ad-hoc committees appointed by the Chair as needed.
  9. Board Discussion
  10. Adjournment  
Newly Elected Chairperson



## School Board Member Oath of Office

It is an honor that you were elected to guide the education of our community's children. As you recite the oath of office, you assume a tremendous responsibility as a director of our school district with the duties empowered by the Minnesota Legislature. This power puts you and the other members of our school board in the position of being both morally and legally responsible for equitable, quality education of every student in the district.

In carrying out this responsibility, you will be asked to fulfill the roles of vision, structure, accountability, and advocacy. In providing vision, the board, with extensive participation of the community, envisions the community's educational future and then formulates the goals, defines the outcomes, and sets the course for the public schools.

To achieve the vision, the board establishes a structure and creates an environment designed to ensure all students the opportunity to attain their maximum potential through a sound organizational framework.

Because as a board we must be accountable to the community, we must ensure a continuous assessment of student achievement and all conditions affecting the education of our children.

As board members, we serve as education's key advocate on behalf of students and our community schools to advance the vision for our schools.

Furthermore, we must strive to work together with the superintendent and staff to lead the district toward fulfilling the vision we have created, fostering excellence for every student in the areas of academic skills and knowledge, citizenship and personal development.

\*\*\*\*\*

Having signed the acceptance of office and oath of office, I hereby publicly affirm my commitment to the oath of office:

I swear/affirm that I will support the Constitution of the United States and of this state, and that I will discharge faithfully the duties of the office of school board member of Independent School District No. (NUMBER) to the best of my judgment and ability.

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Board Chair

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Date

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Member

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Date

# Wrenshall Board of Education Organizational Meeting

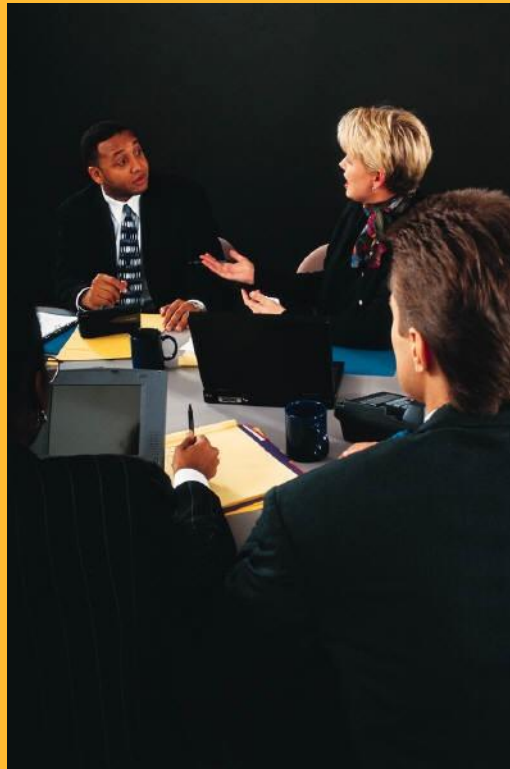
Monday, January 6, 2025 6:00 PM

Wrenshall School Library Media Center, 207 Pioneer Drive, Wrenshall, MN 55797

1. <b>Call to Order</b>	<b>Speaker (s) :</b> Current Chairperson
2. <b>Administer Oath of Office</b>	<b>Speaker (s) :</b> Current Chairperson
3. <b>Roll Call</b>	<b>Speaker (s) :</b> Current Chairperson
4. <b>Adoption of Agenda</b>	<b>Speaker (s) :</b> Current Chairperson
5. <b>Election of Officers for 2024</b>	<b>Speaker (s) :</b> Current Chairperson
5.a. Election of Chairperson	<b>Speaker (s) :</b> Current Chairperson
5.b. Election of Vice-Chairperson	<b>Speaker (s) :</b> Newly Elected Chairperson
5.c. Election of Clerk	<b>Speaker (s) :</b> Newly Elected Chairperson
5.d. Election of Treasurer	<b>Speaker (s) :</b> Newly Elected Chairperson
6. <b>Action Items</b>	<b>Speaker (s) :</b> Chair
6.a. Designate Depositories of Funds	<b>Speaker (s) :</b> Newly Elected Chairperson
6.b. Authorize Electronic Fund Transfers	<b>Speaker (s) :</b> Newly Elected Chairperson
6.c. Designate Official Newspaper	<b>Speaker (s) :</b> Newly Elected Chairperson
6.d. Designate Independent Auditor	<b>Speaker (s) :</b> Newly Elected Chair
6.e. Designate Legal Representation	<b>Speaker (s) :</b> Newly Elected Chairperson
6.f. Set Board Director Compensation	<b>Speaker (s) :</b> Newly Elected Chairperson
6.g. Set Mileage Reimbursement Rate For Official Business	<b>Speaker (s) :</b> Newly Elected Chairperson
6.h. Designate Site for Electronic Sale of Surplus Supplies, Materials, and Equipment	<b>Speaker (s) :</b> Jeff Pesta
6.i. Set Meeting Recording Guidelines	<b>Speaker (s) :</b> Newly Elected Chairperson
7. <b>Set Annual Meeting Calendar</b>	<b>Speaker (s) :</b> Newly Elected Chairperson
8. <b>Appoint Standing Board Committees</b>	<b>Speaker (s) :</b> Newly Elected Chairperson
9. <b>Adjournment</b>	<b>Speaker (s) :</b> Newly Elected Chairperson



# First Monday in January: The Organizational Meeting



**EVERYTHING** you need to know  
for your school board's Organizational Meeting

Updated December 2025

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## **Introduction**

On the first Monday in January (or as soon as practicable thereafter) each year, newly elected school board members' terms of office begin, and school boards must meet to elect school board officers ([Minnesota Statutes section 123B.14, subdivision 1](#)).

School boards typically combine the work of seating newly elected school board members and organizing for the year into a single *organizational meeting*. The purpose of this booklet, *The First Monday in January*, is to help school boards prepare for and conduct the organizational meeting.

This guidance is based on relevant laws, knowledge of school board and superintendent roles and responsibilities, school board meeting processes and procedures, best practices, and experience. While the content addresses many issues related to the organizational meeting, this booklet cannot address every potential problem or circumstance school boards may encounter. As a result, school boards would be well served to review the contents and establish their processes for officers' elections prior to the organizational meeting. Upon review, school board members and superintendents are encouraged to call MSBA with questions pertaining to their unique situation.

Before beginning to look at the actual content of this booklet, five general terms used throughout this document should be explained. From this point forward, except in quotations from statute, the words, "board," "board member," "district," "chair," and "meeting," will be used instead of the formal terms, "school board," "school board member," "school district," "school board chair," and "school board meeting."

**Updated December 2025**

## **The Organizational Meeting and the Election of Officers**

Under Minnesota law, “the board must meet and organize by selecting a chair, clerk, and a treasurer, who shall hold their offices for one year and until their successors are selected and qualify” ([Minnesota Statutes, section 123B.14, subdivision 1](#)). The chair calls the meeting to order.

A remote possibility exists that all the board officers and members from the previous year will no longer be on the board or are unavailable. In that case, the board as a whole should call the meeting to order. If the most recently selected chair (the person elected chair last year) is still on the board, that board member should call the meeting to order and run the meeting until a successor is selected and qualifies. If the most recent chair is no longer on the board or is unavailable, the most recently selected vice chair (if the board has one), clerk, or treasurer, in that order, should be asked to call the meeting to order and run the meeting. Otherwise, the board must select a different member to open the meeting and preside over the election of the chair, who will then move into place and conduct the rest of the elections and meeting.

If all the most recently selected officers are unavailable and the board is unable to reach a consensus, the board should use an agreed-upon method, such as calling on the most senior board member present or the member who draws the shortest straw, to choose a person to serve in that capacity. The board should use a similar process for determining who will serve as clerk and be responsible for recording the minutes until a successor is selected by the board. From this point on, the officers selected by the process just described to serve until new officers are selected will be referred to as “acting” officers.

At no time should the superintendent act as chair.

Boards need to adopt basic rules for conducting the organizational meeting. The rules chosen may be past practices or one of several options presented in *Robert’s Rules of Order Newly Revised* or another parliamentary procedure if the board has adopted one. The adopted rules allow the board members to discuss and make decisions in a timely and orderly manner. Boards are wise to keep the rules as uncomplicated as possible.

The most commonly used option for electing officers is for the acting chair to open the floor for nominations. This process is described on Page 7.

## **Open Meeting Law**

All board meetings, including the organizational meeting, must comply with the Minnesota Open Meeting Law ([Minnesota Statutes, chapter 13D](#)). All board votes must occur at an open meeting, and board members may not cast any straw votes or votes by secret ballot ([Minnesota Statutes, section 13D.01, subdivision 4](#)). Boards may vote by paper ballot, but the voters must be identified and votes recorded.

If a special meeting is scheduled for the purpose of organizing the board, written notice of the date, time, place, and purpose of the meeting must be posted on the board’s principal bulletin board (or on the door of the board’s usual meeting room if no principal bulletin board exists) at least three days before the special meeting. All other requirements of the statute also must be satisfied ([Minnesota Statutes, section 13D.04](#)).

## **Date of the Organizational Meeting**

Many Minnesota school boards prefer to schedule the January organizational meeting on the first Monday of January or as early as possible thereafter. In the rare event that a situation requiring the board's immediate attention arises before the organizational meeting, the board members whose terms are ending may be called upon to help the board until the new board members are seated.

The board cannot transact business on any holiday, including New Year's Day, except in cases of necessity ([Minnesota Statutes, section 645.44, subdivision 5](#)). This law explains how to proceed when a holiday falls on a Saturday or a Sunday. Minnesota law provides for some exceptions for dates on which school may be conducted despite the date being a holiday ([Minnesota Statutes, section 120A.42](#)). School boards should consider these dates when planning their organizational meetings. **MSBA's Dates with Meeting Restrictions chart** offers guidance (available on the MSBA website).

## **Sample Organizational Meeting Agenda**

The organizational meeting agenda should clearly state the business the board will transact. As this booklet demonstrates, the school board may conduct regular school board business in addition to the organizational matters the board chooses to address. If the board schedules a special meeting to hold the organizational meeting, the board must limit its business to the purpose(s) stated on the meeting notice ([Minnesota Statutes, section 13D.04, subdivision 2](#)).

A sample organizational meeting agenda is provided below:

- Call meeting to order  
The acting chair calls the meeting to order and conducts the meeting until a successor is elected by the board.
- Seat new board members  
The acting chair may administer a ceremonial oath of office to the new board members (depending on the board's election cycle and practice).
- Approve meeting agenda
- Elect a chair (who presides over remainder of meeting)
- Elect a vice chair (if the board has a vice chair position)
- Elect a clerk
- Elect a treasurer

- Set dates, times, and location(s) for regular board meetings
- Conduct other business
- Designate district depositories
- Name board's legal counsel and authorized contacts
- Fix board members' compensation (if any)
- Appoint board committee members  
Designate a board member as the Minnesota State High School League representative
- Other

#### **Seating New Board Members**

School boards seat newly elected board members at the first meeting in January. At that time, the acting chair and the rest of the board welcome the new board member(s). The acting chair may administer a ceremonial oath of office. Then, the board moves to the organizational meeting.

## Election of Board Officers

Minnesota law requires that school boards elect a chair, a clerk, and a treasurer from among the school board members. One school board member must serve as the treasurer and another school board member must serve as the clerk. The *duties* of the clerk and treasurer may be performed by school district staff. The board, by resolution, may combine the duties of the offices of clerk and treasurer in a single person in the "Office of Business Affairs." A sample resolution is on page 13.

The board may decide to have additional officers, such as a vice chair ([Minnesota Statutes, section 123B.14](#)).

Board officers shall hold office for one year and until their successors are selected and qualified.

### 1. Procedures for Officer Elections

Minnesota law does not establish the method of electing officers, except that the election must be by open vote and not by any form of secret ballot ([Minnesota Statutes, section 13D.01, subdivision 4](#)). The board may establish its own procedures, including procedures for nominating officers and voting procedures. The board should establish procedures in advance of the meeting so that everyone will know what to expect from the outset. The board must follow the procedures, but the procedures can be changed if the majority of the board members agree.

Once the meeting has been called to order, the acting chair has been determined, and the agenda has been approved, the school board turns to the officer election process.

#### Sample Officer Election Process

- The acting chair asks for nominations.
- A board member may nominate any other board member or self-nominate
- Nominations do not require a second.
- If no other nominations are immediately received, the acting chair should pause and repeat the call for nominations.
- The acting chair should again pause and repeat the call for nominations a third time to ensure that every board member has ample opportunity to nominate. Usually, a motion to close nominations before these opportunities are offered should be declared out of order. *Robert's Rules of Order Newly Revised* calls for a two-thirds majority vote to adopt the motion.
- After the third call for nominations, if no other nominations are forthcoming, the acting chair should close the nominations for the office.
- A motion to reopen nominations may be adopted on a majority vote.

Here is an illustration:

**Acting Chair:** "Nominations are now in order for the office of chair."

**Board Member James:** "I nominate Jane Smith."

**Acting Chair:** "Jane Smith is nominated. Are there any other nominations for

the office of chair?"

**Acting Chair:** "Are there any further nominations for the office of chair?"

**Acting Chair:** "Are there any further nominations for the office of chair?"

**Acting Chair:** "If there are no further nominations ... [pause] ... nominations for the office of chair are closed."

## 2. Voting

If only one school board member is nominated, board rules may allow the acting chair to declare that candidate elected. The acting chair could say, "Jane Smith is the only candidate nominated for the office of chair, and I hereby declare her elected by acclamation and direct the acting clerk to so record in the minutes."

Board rules may provide for a show of hands or voice vote in which each board member has an opportunity to vote. The newly elected chair then immediately assumes the office and conducts the election of other officers.

If two or more members are nominated for an office, a show of hands or voice vote is common. Each member's vote must be recorded as required by Minnesota's Open Meeting Law.

Another option is for each board member to be given a piece of paper (ballot) on which to write the name of the person for whom they are voting and the member's name on that ballot so each member's vote may be recorded. The results of each individual board member's vote is read aloud at the meeting and must be recorded in the minutes.

The person receiving a majority of the votes cast is elected and assumes the office, having been "selected and qualified."

## 3. Number of Votes Required

Unless board rule or policy requires a majority of the board's *full* membership or other stipulation, the number of votes required to elect an officer is the same as the vote to carry other motions—namely, "more than half the votes cast, excluding abstentions." Absences or abstentions can reduce the number of votes required to less than a majority of the full board. For example, for a seven-member school board with two board members absent or abstaining, three votes would elect an officer, 3-2. Any other requirement to elect officers should be clearly articulated in the board's policies or procedures.

If more than two candidates are nominated, the possibility exists that no candidate will get a majority of the votes cast. For example, a seven-member board with three candidates could have an initial vote of 3-3-1. Because four votes constitute a majority, no candidate would have enough votes to be elected.

Some boards, in such instances, drop off the low vote getter and conduct a second vote. *Robert's Rules of Order Newly Revised* recommends retaining the low vote getter because a low vote getter could turn out to be the most satisfactory compromise for supporters of the two front runners and may be helpful in breaking

a tie. If a multiple-candidate contest continues to produce no majority choice, the board may be left with no other option than to drop the low vote getter in an attempt to complete the election. If the board includes this option in its policies and procedures, language should specify when and how the decision would be made.

#### 4. Order of the Vote

The voting procedure used may follow the order that the board typically uses to vote on motions. The acting chair may ask for a show of hands or go around the table calling on members by name, or the acting clerk may conduct a roll-call vote.

**Acting Chair:** "All in favor of Jane Smith for the office of chair raise their hands."

[Then]: "All in favor of James Nelson for the office of chair raise their hands."

[Then]: "Jane Smith received a majority of the votes cast and is elected chair of this school board."

To avoid any question regarding the validity of an election between two or more candidates, the board may need to conduct a roll call vote in the order the board normally follows and record each board member's vote in the minutes. A script for calling a roll-call vote is provided below.

**Acting Chair:** "The acting clerk will now call the roll for voting on the office of chair."

**Acting Clerk:** "Board member Brown."

**Board member Brown:** "I vote for Jane Smith."

**Acting Clerk:** "Board member Gray."

**Board member Gray:** "I vote for James Nelson."

[And so on until all board members have been polled]

**Acting Chair:** "The acting clerk will now tally the votes."

**Acting Clerk:** "Jane Smith received four votes. James Nelson received three votes."

**Acting Chair:** "Jane Smith received a majority of the votes cast and is elected chair."

#### 5. Board Unable to Elect a Chair or Other Officer

Although election of officers usually raises no significant question as to procedure or legal requirements, exceptions arise from time to time. For example, in the event of a tie between two candidates, a second vote should be taken.

If a second vote to elect a new chair is unsuccessful, the board could: (1) move on to elect the other officers before attempting to vote a third time to elect a chair or (2) move on to conduct the other business before

attempting to vote a third time to elect a chair before the close of the meeting. The acting chair presides until the deadlock for chair is broken, even if other officers have been selected.

If the board is still unable to elect a chair after a third vote, the election of a chair should occur at subsequent meeting(s), for as many meetings and votes that may be required, until one candidate is elected.

Once a chair is elected, the newly elected chair assumes the duties of the presiding officer and conducts the elections of a vice chair (if applicable), clerk, and treasurer following the same procedures.

## **6. Vice Chair**

Minnesota law does not require the board to have a vice chair position. If the board includes a vice chair, the newly elected chair should use the same call for nominations and election procedures to elect a vice chair as described for electing a chair.

## **7. Clerk**

The chair should next call for nominations for the office of clerk. Nominations and the election should be handled in the same manner as for chair. In selecting a clerk, certain tasks (such as keeping a record of all board meetings of the district; within three days after an election, notifying all persons elected of their election; and filing a report of the revenues, expenditures, and balances in each fund for the preceding fiscal year with the board by September 15 of each year) require the clerk to be available regularly in the district administrative office ([Minnesota Statutes, section 123B.14](#)).

Board members who take minutes at meetings while participating in the meetings often have difficulty balancing their responsibilities. Fortunately, Minnesota law allows other persons (such as the superintendent's administrative assistant or secretary under the direction of the board clerk) to perform the duties of clerk. The board can designate an alternate, or "deputy clerk," from among the board members to sign documents if the clerk is unavailable.

## **8. Treasurer**

The chair should next call for nominations for the office of treasurer. Certain tasks of the treasurer (such as depositing district funds in the official depository; making reports called for by the board and performing all duties a treasurer usually performs; and, in the event of insufficient funds to pay valid orders presented to the treasurer, receiving, endorsing, and processing the orders according to the law) require the treasurer to be available regularly to the district's administration ([Minnesota Statutes, section 123B.14](#)). The law allows the board (by resolution) to name a person in the business office to perform the duties of the offices of clerk and treasurer.

## **Other Business at the Organizational Meeting**

Minnesota law allows the school board to conduct other business at the organizational meeting. Other business items commonly transacted at the organizational meeting include designating district depositories, selecting the official district newspaper, selecting the district's legal counsel and individuals authorized by the board to contact legal counsel, fixing board member compensation, setting the board's regular meeting schedule, appointing board committee members, and passing a resolution for combined polling places. These items are described below.

### **1. Designate District Depositories**

Minnesota law requires the board to designate one or more official depositories for district funds ([Minnesota Statutes, section 118A.02, subdivision 1](#)). While Minnesota law does not specify when the designation must be made, many boards designate depositories at the organizational meeting.

### **2. Select Official Newspaper**

School districts are required by law to publish their meeting proceedings and many notices in their official newspaper ([Minnesota Statutes, section 331A.04](#)). A board may select an official newspaper whenever it chooses, and most boards decide at the board's organizational meeting. Franconia and Prinsburg must designate an official newspaper in the first meeting following July 1.

### **3. Select District's Legal Counsel**

The organizational meeting is a good time for the board to select one or more attorneys or firms to serve as the district's legal counsel. This meeting is also a good opportunity to identify the individuals who are authorized to contact the district's legal counsel. These individuals commonly include the chair, the superintendent, and the chief business official of the district. In addition, other district staff, including the human resources director or a person with similar duties, may be authorized to contact the school district's legal counsel.

### **4. Fix Board Member Compensation**

Many Minnesota school boards set board member compensation at the organizational meeting. Minnesota law allows the clerk, treasurer, and superintendent to receive such compensation as may be fixed by the board. The law also allows the board to fix compensation for the other members of the board ([Minnesota Statutes section 123B.09, subdivision 12](#)).

### **5. Fix Regular Board Meeting Schedule for the Year**

Minnesota law includes specific notice requirements that must be satisfied for the board to meet, whether for regular, special, or emergency meetings. Many boards set the regular meeting schedule for the year at the organizational meeting. If the board sets a schedule for regular board meetings to be held during the year,

with the date, time, and place for such meetings designated, and that schedule is kept at the district office, then no additional notice of those regular meetings is required ([Minnesota Statutes, section 13D.04, subdivision 1](#)). If a regular meeting date, time, or location is changed, additional notice is required. When setting the schedule for regular board meetings, the board must keep in mind the dates when meeting restrictions and/or prohibitions apply. Please see the **MSBA Dates with Meeting Restrictions chart**.

## **6. Appoint Board Members to Board Committees**

Boards often use standing or ad hoc committees to facilitate the board's mission and work. These committees are advisory and have only the authority that the school board specified. However, some boards avoid using committees and opt for the board to work as a whole. Many boards believe the organizational meeting is a good time to appoint board committee memberships. If the board has a policy on board committees, the board should follow that policy and established procedures.

If the board utilizes committees, policy should clarify the following: when, how, and by whom the appointments will be made, the allowable number of board members per committee, whether committee appointments are continuing or rotating, and, if rotating, a schedule for doing so. Finally, board committee and subcommittee meetings are subject to Minnesota's Open Meeting Law (even when the committee membership is less than a quorum of the board). The notification and public meeting requirements for board committees and subcommittees are the same as for board meetings.

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## School Board Member Election and Vacancies

### 1. Board Membership and Election to the School Board

Board membership consists of six elected members (or seven members if the district voters have approved a seven-member board) ([Minnesota Statutes, section 123B.09, subdivision 1](#)). Elections take place on the first Tuesday after the first Monday in November of either the odd-numbered or the even-numbered year ([Minnesota Statutes, section 205A.04](#)). The number of members may be different for combining or consolidating boards that are in a transition period ([Minnesota Statutes, section 123A.48, subdivision 2](#)). The board includes ex officio (non-voting) members. Superintendents are the only ex officio members of the board who are mentioned in statute ([Minnesota Statutes, section 123B.143](#)). Board vacancies are filled by special election if more than one year remains or by board appointment by resolution at a regular or special meeting if less than one year remains ([Minnesota Statutes, section 123B.09, subdivision 5b](#)).

### 2. Canvass of Returns and Certificate of Election

Minnesota law requires the board to canvass the returns and declare the results of the election between the third and tenth day after a district election, other than a special election ([Minnesota Statutes section 205A.10, subdivision 3](#)). The district clerk must certify the results of the election to the county auditor. The clerk is the final custodian of the ballots and the returns of the election.

### 3. Qualified Board Member

To “qualify,” a newly elected board member must complete a few necessary steps. The district clerk must ensure that each successful candidate has filed a campaign finance report certification ([Minnesota Statutes, section 211A.02](#) and [Minnesota Statutes, section 211A.05, subdivision 1](#)) before issuing a certificate of election. The clerk must deliver, by personal service or certified mail, the certificate to the successful candidate who must return the certificate of election within thirty days, sign the oath of office, and sign the acceptance of office. A person who fails to qualify prior to the specified time shall be deemed to have refused to serve ([Minnesota Statutes, section 205A.10, subdivision 3](#)).

### 4. Term of Office

The term of office for school board members is four years. Generally, a board member is elected to fill an open seat on the board created by the expiration of a term (except as may be otherwise provided by a transition schedule from odd- to even-numbered year or from even- to odd-numbered year elections) beginning the first Monday in January ([Minnesota Statutes, section 123B.09, subdivision 1](#)). The member takes office on that date regardless of the date of the organizational meeting.

### 5. Board Vacancy

A board vacancy occurs when a member dies, resigns, ceases to be a resident of the district or is unable to serve on such board and attend its meetings because of illness or prolonged absence from the district

[\(Minnesota Statutes section 123B.09\)](#). A board vacancy must be filled by board appointment, evidenced in an adopted resolution, and is effective 30 days following the appointment (unless a petition to reject the appointee is filed and meets statutory requirements).

Under the Minnesota law cited above, the rules regarding when a special election is required to fill a vacancy are complex and depend upon when the vacancy occurs in the member’s term.

A person filling a vacancy by special election takes office immediately after qualifying. To qualify for an elected office means the certificate of election has been received, the acceptance of office has been signed, the finance report has been turned in, and the oath of office has been taken and signed.

**6. Post-Election, No Pre-Seating of New Members**

Board members are elected in November ([Minnesota Statutes, section 205A.04](#)), but their terms of office do not begin until the first Monday in January ([Minnesota Statutes, section 123B.09, subdivision 1](#)). Currently serving members retain their seats until the expiration of their respective terms. During the time between being elected and the first Monday in January, board members-elect are citizens who are not board members yet. For this reason, board members-elect should not be treated the same as seated members. As a result, wise boards do not allow board members-elect to sit at the board table, participate in the deliberations, be asked how they would vote on a topic during a meeting, or be allowed to conduct or otherwise participate in any other board business. These restrictions avoid the confusion that can result when members-elect are allowed to participate in meetings prior to being officially seated.

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**School Board Members and Data Privacy**

Minnesota’s Government Data Practices Act requires school board members to maintain data privacy as described in the Act ([Minnesota Statutes, chapter 13](#)). To protect data privacy rights of the district’s students and staff, board members-elect should not be given access to non-public data until they officially begin their term of office.

In the interim, board members-elect can spend time preparing to take office. Boards can help board members-elect by providing an orientation, inviting them to meetings, sending them meeting agendas and packets (public information only) prior to the meetings, and encouraging them to attend MSBA’s new board member trainings (Phase I and Phase II, which include school board member training in school finance and management as required under [Minnesota Statutes, section 123B.09, subdivision 2](#)). Additional information can be found on MSBA’s website.

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## Combining the Duties of Clerk and Treasurer

Minnesota law requires boards to elect a chair, a clerk, and a treasurer. Minnesota law does not allow the board to select one of its members to serve in the combined office of clerk/treasurer. The law allows a board to combine and delegate *the duties of* the offices of clerk and treasurer to a single person who is employed by the district in its business office. A resolution is required if the duties of the clerk and treasurer are delegated. The resolution is a one-time requirement, not an annual one. Even so, the law still requires that an elected school board member hold each of the offices of chair, clerk, and treasurer. A "Sample Resolution" is below.

### SAMPLE RESOLUTION

WHEREAS, Minnesota Statutes 123B.14, Subd. 1, empowers the School Board to combine the duties of the offices of Clerk and Treasurer of the School Board in one person in the Office of Business Affairs of the School District.

WHEREAS, the School District has decided to combine the duties of the Clerk and Treasurer in one person in the Office of Business Affairs.

THEREFORE, BE IT RESOLVED THAT the\_\_of the School District is designated by the School Board of Independent School District No.\_to perform the duties of Clerk and Treasurer of the District.

Moved by: Seconded by:

The following voted in favor: The following voted against:

WHEREUPON the resolution was declared adopted.

Organizational Meeting: First Monday in January © Minnesota School Boards Association 2025. All rights reserved.

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If legal advice is needed, the school district's legal counsel should be contacted.

While current at the time it was created, this document may be later superseded by legislative or other action.

**123B.95 BOARDS OF COMMON SCHOOL DISTRICTS.**

Subdivision 1. **School board.** The care, management and control of a common district is vested in a board of three members to be known as the school board. The term of office of a member shall be three years, and until a successor qualifies. The board of each common district must consist of a chair, a treasurer, and a clerk. The board may by resolution establish a time and place for regular meeting and no notice of such meeting need be sent to any members of the board.

Subd. 2. **Finances.** The board must submit to the annual meeting an estimate of the expenses of the district for the coming year for a school term as determined by the board and for such other specified purposes as the board may deem proper. If the annual meeting fails to vote a sufficient tax to maintain the district for such time, the board must levy such tax pursuant to and within the limitations of sections 124D.22, 126C.40 to 126C.45, and 126C.48; but no board shall expend any money or incur any liability for any purpose beyond the sum appropriated by vote of the district for such purpose, or levied by the board pursuant to this subdivision, or on hand and applicable thereto.

Subd. 3. **School visits.** The board must visit each school at least once every three months.

Subd. 4. **Official newspaper.** At its first meeting following July 1 each year, the board must designate, by resolution, as the official newspaper of the district, some legal newspaper of general circulation within the district, and contract with such newspaper for its publications. If there is more than one such newspaper, the board must enter a contract with the lowest responsible bidder at the earliest practicable date. All notices and proceedings required by law to be published by the board must be published in the official newspaper so designated. The fees for such publication must not exceed the fees for publication of legal notices as prescribed by Minnesota Statutes.

**History:** *Ex1959 c 71 art 4 s 3; 1967 c 176 s 1; 1978 c 706 s 11; 1986 c 444; 1991 c 130 s 37; 1992 c 499 art 12 s 29; 1995 c 212 art 4 s 64; 1998 c 397 art 6 s 42,124; art 11 s 3; 2000 c 254 s 16*

**331A.04 DESIGNATION OF A NEWSPAPER FOR OFFICIAL PUBLICATIONS.**

Subdivision 1. **Priority.** The governing body of a political subdivision, when authorized or required by statute or charter to designate a newspaper for publication of its public notices, shall designate a qualified newspaper in the following priority.

Subd. 2. **Known office in locality.** If there are one or more qualified newspapers, the known office of issue of which are located within the political subdivision, one of them shall be designated.

Subd. 3. **Secondary office in locality.** When no qualified newspaper has a known office of issue located in the political subdivision, but one or more qualified newspapers maintain a secondary office there, one of them shall be designated.

Subd. 4. **General circulation in locality.** When no qualified newspaper has its known office of issue or a secondary office located within the political subdivision, then a qualified newspaper of general circulation there shall be designated.

Subd. 5. **Other situations.** If a political subdivision is without an official newspaper, or if the publisher refuses to publish a particular public notice, matters required to be published shall be published in a newspaper designated as provided in subdivision 4. The governing body of a political subdivision with territory in two or more counties may, if deemed in the public interest, designate a separate qualified newspaper for each county.

Subd. 6. **Exception to designation priority.** (a) Notwithstanding subdivisions 1 to 3, the governing body of a political subdivision may designate any newspaper for publication of its official proceedings and public notices, if the following conditions are met:

(1) the newspaper is a qualified medium of official and legal publication;

(2) the publisher of the newspaper furnishes a sworn statement, verified by a recognized independent circulation auditing agency, covering a period of at least one year ending no earlier than 60 days before designation of the newspaper, stating that the newspaper's circulation reaches not fewer than 75 percent of the households within the political subdivision;

(3) the newspaper has provided regular coverage of the proceedings of the governing body of the political subdivision and will continue to do so; and

(4) the governing body votes unanimously to designate the newspaper.

(b) If the circulation of a newspaper designated under this subdivision falls below 75 percent of the households within the political subdivision at any time within the term of its designation as official newspaper, its qualification to publish public notices for the political subdivision terminates.

Subd. 7. **Joint bidding.** A bid submitted jointly by two or more newspapers for the publication of public notices must not be considered anticompetitive or otherwise unlawful if the following conditions are met:

(1) all of the qualified newspapers eligible for designation participate in the joint bid;

(2) the existence of the joint bid arrangement is disclosed to the governing body of the political subdivision before or at the time of submission of the joint bid; and

(3) the governing body is free to reject the joint bid and, if it does, individual qualified newspapers do not refuse to submit separate bids owing to the rejection of the joint bid.

**History:** *1984 c 543 s 23; 2003 c 59 s 1; 2004 c 182 s 14; 2022 c 61 s 8*

**IRS sets 2026 business standard mileage rate at 72.5 cents per mile, up 2.5 cents**

IR-2025-128, Dec. 29, 2025

WASHINGTON — The Internal Revenue Service today announced that the optional standard mileage rate for business use of automobiles will increase by 2.5 cents in 2026, while the mileage rate for vehicles used for medical purposes will decrease by half a cent, reflecting updated cost data and annual inflation adjustments.