

005.1.1

**QUALIFICATION REQUIRED TO BE A CANDIDATE FOR SCHOOL BOARD MEMBERSHIP**

The legal qualifications for school board membership as defined by education law are as follows:

1. Must be able to read and write (§2102).
2. Must be a qualified voter of the School District; that is a citizen of the United States, at least 18 years of age or older, and have not been adjudged incompetent or a convicted felon (§2102, 2012, 2502(7); Election Law §5-106.  
(Note: a convicted felon is barred from running for a seat on a board of education if his or her maximum prison sentence has not expired or if he or she has not been pardoned or discharged from parole (Elec. Law § 5-106(2)).
3. Must be and have been a resident (but need not be a taxpayer) of the District for a continuous and uninterrupted period of at least one (1) year immediately before the election (§§2012, 2502(7), (9).
4. May not have been removed from any school district office within the preceding year (§ 2103(2)).
5. May not reside with another member of the same school board as a member of the same family (§2013(3); Rosenstock v. Scaringe, 40 NY2d 563 (1976)).
6. May not be a current employee of the school board (§2013(4).
7. May not simultaneously hold another incompatible public office (Matter of Schock, 21 Educ. Dept't Rep. 300 (1981).

NOTE: Qualifications as a voter are required at time election is held, not upon presentation of petition.

APPROVED: BOARD OF EDUCATION

DATE: June 14, 1988

REVISED: March 30, 1993

October 19, 2004