

## Summary of Board Member Qualifications and Conflicts Rules

Board member qualifications and conflicts are established by the Kentucky Constitution and Kentucky statutes. These specific provisions prevail over the following general descriptions. Residency, incompatible offices and conflicts issues can be complex and should be fully explored by the candidate. What follows is only a basic overview .

To be eligible for membership on a local school board, a person must meet these qualifications:

1. Has attained the age of twenty-four (24) years.
2. Has been a citizen of Kentucky for at least three (3) consecutive years preceding his/her election.
3. Is a legally qualified voter of the division or district (in the case of independent school districts) for which s/he is elected.
4. Has completed at least the 12th grade or has been issued a high school equivalency diploma.
5. Cannot hold any elective federal, state, county or city office; cannot serve as an officer or employee of a city or county; cannot hold a federal office of “trust or profit;” and cannot serve as an appointed officer of a special purpose governmental entity with taxation authority unless specifically authorized by statute. KRS 160.180 was amended in 2018 to eliminate the prohibition on school board service by state office holders where the state office requires the constitutional oath. The amended version of the statute now states that **elective** federal, state, county or city offices are incompatible with school board service. However, provisions of the Kentucky Constitution provide that persons may not hold a state office (school board service is considered a state office) and also serve as a county or city officer “or an employee thereof” (Kentucky Constitution, Section 165); and that persons may not hold a state office of “trust” (which has been interpreted to include school board members) while also serving in a federal office of “trust or profit.” (Kentucky Constitution, Section 237)
6. As of the date of election, has no interest, direct or indirect, in the sale to the board of books, stationery or any other property, materials, supplies, equipment or services for which school funds are expended.
7. Has never been removed from membership on a board of education for cause.
8. Has no relative, as defined in KRS 160.180, employed by the district. Note that 2017 amendments to this statute eliminated “aunt, uncle, son-in-law, and daughter-in-law” from the definition of “relative,” which now covers “father, mother, brother, sister, husband, wife, son, and daughter.”

A board member shall be eligible for re-election unless s/he becomes disqualified.