

Candidate's Guide to the School Election

November 5, 2019

Prepared by the Office of the Iowa Secretary of State

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<http://sos.iowa.gov/elections/candidates/index.html>

For more information, please contact your school secretary or county auditor.

Important Note: The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.

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Overview

What is the School Election?

The school election is held in odd-numbered years on the first Tuesday after the first Monday in November to elect school district and community college officers and vote on public measures for these jurisdictions.

[§277.1]

Candidate Qualifications

A candidate must be an eligible elector in the school district and director district (if any) at the time of the election. An eligible elector meets all of the requirements to register to vote but does not have to be registered to vote.

[§277.27]

An eligible elector must be:

- A citizen of the United States
- A resident of Iowa
- At least 18 years old

An eligible elector may not:

- Be a convicted felon (unless voting rights have been restored by the president or governor)
- Be currently judged incompetent to vote by a court
- Claim the right to vote in any other place.

[§39.3(6)]

Nomination Papers

Each candidate must file an affidavit of candidacy and nomination petitions with the school secretary or community college board secretary. The affidavit of candidacy and nomination petitions must be filed together or they will be rejected.

[§277.4]

Copies of nomination papers are available at the school secretary's office, county auditor's office, or on the Secretary of State's website:

<http://sos.iowa.gov/elections/electioninfo/SchoolElections.html>.

Filing Period

Nomination papers must be filed with the school secretary during the filing period. They cannot be filed before or after the filing period. The filing period is:

First day: Monday, August 26, 2019

Last day: Thursday, September 19, 2019 – 5 p.m.

There are no filing fees in Iowa.

[§277.4(1)]

Controlling Auditor

When a city, school district, or community college crosses county lines, the auditor whose county has the largest taxable base is the “controlling auditor”. The controlling auditor is responsible for receiving candidate nomination papers and public measures, developing summaries, and certifying names and the text of public measures and summaries to all auditors for that political subdivision.

Each auditor is responsible for administering elections for cities, school districts, or portions thereof, for all voters within the auditor’s county. In a situation where a city or school district lies in multiple counties, each auditor will print ballots and service voters for the portion within the auditor’s county.

For city primary elections, city runoff elections or special elections for cities, schools or merged areas, the non-control county auditor may designate the controlling auditor to conduct the election if fewer than 125 registered voters of the shared jurisdiction reside in the non-control county.

[§47.2(2), 260C.15]

Preparing Nomination Papers

Affidavit of Candidacy

Each candidate must complete and file an affidavit of candidacy. The affidavit of candidacy form is available on the Secretary of State's website:

<http://sos.iowa.gov/elections/pdf/candidates/affidavit.pdf>.

The affidavit should include the following information:

- Candidate's Name

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included. Please provide the phonetic spelling of the candidate's name. This is helpful for producing audio ballots for voters who are visually impaired. Be as clear as possible. For example, Eisenhower = "EYES-in-how-er."

- Office Sought and Director District (if any)

The name of the office, the school district, and the director district (if any) that the candidate is running for must be included.

- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The "yes" box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the school secretary and county auditor about whether you are running to fill a vacancy.

- Type and Date of Election

The 2019 School Election will be held on Tuesday, November 5.

- Candidate's Home Address

Candidates must provide their house number and street name. The mailing address, phone, and email are optional but do assist the school secretary, county auditor, and the public in contacting the candidate.

- Candidate's Affirmation, Signature and Notarization

The affidavit must be notarized. A notarial officer must be present when the candidate signs the affidavit and the notarial officer will complete the verification on the bottom of the affidavit. Once an affidavit is notarized, the affidavit cannot be altered.

Affidavits missing any of the information listed below must be rejected:

- Candidate's name
- Office sought and ward (if any)
- Candidate's signature
- Signature of notary public

[§260C.15(2), 277.4(2)]

The candidate's party affiliation should be left blank.

Nomination Petitions

Candidates must collect signatures on nomination petitions and file the petitions at the same time the affidavit of candidacy is filed.

The nomination petition form for school district candidates is available on the Secretary of State's website: <http://sos.iowa.gov/elections/pdf/candidates/nompetnonpartisan.pdf>.

The nomination petition form for community college candidates is available on the Secretary of State's website: <http://sos.iowa.gov/elections/pdf/candidates/ccnomp.pdf>.

Preparing Nomination Petitions

Before anyone signs the petition, complete the required information in the header of every petition page.

Best Practice: Complete the header on one petition page and make copies of that page so all petition page headings are identical.

The information listed below must appear on each petition header. Signatures cannot be counted on petition pages missing the following information:

- **Candidate's Name**

The candidate's name should be printed exactly as the candidate wishes the name to appear on the ballot. No parentheses, quotation marks, or titles (e.g. Dr., Mrs., etc.) may be included.

- **Office Sought**

- **School District/Community College and Director District (if any)**

The candidate must provide the director district number when running for a director district seat. Signatures on petition pages that do not provide the applicable director district number (when required) cannot be counted.

- **Type and Date of Election**

The 2019 School Election will be held on Tuesday, November 5.

- **Signers' and Candidate's Affirmation of Residence**

The following statement must appear on each petition page:

"We, the undersigned eligible electors of the appropriate county, city, school district, school or community college director district, or other district as established by law,

hereby make the nomination outlined above. If the candidate named above accepts the nomination, we believe the candidate is or will be a resident of the appropriate county, city, school district, school or community college director district, or other district established by law as required by law.”

The following information should also appear on each petition header:

- Candidate’s County and City of Residence

- Vacancy Information

Is the candidate running to fill a vacancy due to the death, resignation, removal, or temporary appointment of an office holder?

The “yes” box must be checked if the candidate is running to fill the remainder of an unexpired term. This happens when an incumbent office holder resigned, died, or was removed from office before the end of the term and another officer was appointed (not elected) to fill the remainder of the unexpired term.

Contact the school secretary and county auditor about whether you are running to fill a vacancy.

[§260C.15(2), 277.4(2)]

Circulator Information

The candidate or person collecting signatures on behalf of any candidate or campaign must provide their name, address, phone number and signature on each petition page on which the circulator collects signatures.

[§45.5(1)]

Signature Requirements for School Board

The minimum number of signatures needed depends on the number of registered voters in the school district as of May 1, 2019. Signature requirements for candidates who are elected only by the voters of a director district are based on the number of registered voters in the director district.

Ask the school secretary or countrolling auditor for the minimum number of signatures needed in your school district:

- For school districts (or director districts when applicable) with fewer than 1,000 registered voters, the minimum number of signatures is 10.
- For school districts (or director districts when applicable) with more than 1,000 registered voters, the minimum number of signatures is 1% of the number of registered voters or 50, whichever is less.

[§277.4(2)(a)]

Signature Requirements for Community College Board

The minimum number of signatures is at least 50 from the director district.

[§260C.15(2)]

Collecting Signatures

Eligible electors of the appropriate school district and director district (if applicable) or community college and director district (if applicable) may sign nomination petitions. (See page 1 for the definition of an eligible elector.)

At-Large Districts

In school districts where directors may live anywhere in the school district, the number of signatures needed is calculated from the number of registered voters in the entire school district. Petition signers may live anywhere in the school district.

[§277.4(2)(a)]

Director Districts

In school districts where directors must reside in a specific director district but are voted upon by the entire school district, the number of signatures needed is calculated from the number of registered voters in the entire school district. Petition signers may live anywhere in the school district.

In school districts where directors are only voted on by the residents of the director district, the number of signatures needed is calculated from the number of registered voters in the director district. Petition signers must live in the director district.

[§277.4(2)(a)]

Candidates may sign their own petitions assuming they are eligible electors of the school district and director district (if applicable). Candidates may begin collecting signatures at any time. However, the signers must still be eligible electors when the papers are filed in order for the signatures to count.

There is no limit on the number of nomination petitions one elector may sign for different candidates.

All signers must include the following information:

- A signature (the signature may be printed)
- The address of their residence

This must include a house number, street name, and city. Providing a post office box only is not sufficient. A signer who is homeless should describe where the signer lives or write “homeless.”

- The date of signing

[§277.4(2)(b)]

Important Note for Community College Director Candidates: Petition signers must include the school district in which they live. Signature lines without the school district cannot be counted.

[§260C.15(2)]

Important Note: Petition signers often use “ditto” marks when appropriate (e.g. when the name of a city or the date of signing the petition is the same as the previous signer). The use of ditto marks alone does not invalidate a signature.

Filing Checklist

- Review affidavit and nomination petition headers.**

Nothing can be added to a notarized affidavit or a petition header if there are signatures on the page. Nomination papers can be returned only if they have been rejected.

- Count the signatures.**

Best Practice: File more than the required number of signatures since it is possible for signatures to be challenged. If there are signatures on a petition that should not be included, simply draw a line through the names. Those signatures will not be counted.

- Make a copy of nomination papers for own records.**

- Bind nomination papers together.**

Nomination papers may be rejected without examination if not bound together.

Best Practice: Use staples or a three-ring binder.

- File both the affidavit and nomination petitions at the same time.**

- File as early as possible.**

Nomination papers will be inspected for completeness before they are accepted for filing. If nomination papers are filed early, candidates may have time to correct any errors in rejected papers and resubmit them.

Nomination papers may be filed in person or by mail. When filing by mail, postmark dates are irrelevant. The school secretary must receive the papers by 5 p.m. on the filing deadline. If candidates would like to be contacted when their nomination papers have been received, they should indicate that when they mail their papers and include a daytime phone number at which they can be reached.

Important Note: It is the responsibility of the candidate to ensure the nomination papers are received by the school secretary before the deadline.

Frequently Asked Questions

Can I run for more than one office?

Yes. If a candidate files nomination papers for both City and School office, then both offices will appear on the same ballot. The candidate must file separate affidavits on or before the last day to file candidate nomination papers declaring the offices for which the candidate wishes to run. If the affidavit is not filed, the candidate's name cannot appear on the ballot for any of the offices for which the person filed nomination papers.

[§49.41]

Can I hold more than one office?

Statewide elected officials, state senators, and state representatives cannot hold more than one elective office at time.

All other elected officials cannot hold more than one elective office at the same level of government at a time. For example, a person could serve on the school board and county board of supervisors, but a person could not serve on the county board of supervisors and serve as county auditor.

Exception: This prohibition against holding more than one office does not apply to:

- County agricultural extension council members
- Soil and water conservation district commissioners.

[§39.11]

What is the Hatch Act?

The Hatch Act restricts the political activities of people principally employed by state or local government executive agencies in connection with a program financed in whole or in part by federal loans or grants. For more information, contact:

U.S. Office of Special Counsel – Hatch Act Unit
1730 M. Street, N.W. Suite 218
Washington, D.C. 20036-4505
1-800-854-2824 or 202-254-3650
hatchact@osc.gov
www.osc.gov/hatchact.htm

Who do I contact for questions about nomination papers, filing procedures, and lists of registered voters?

The Elections Division of the Secretary of State's Office is available to assist with questions about the filing process and to provide lists of registered voters.

- Phone: 1-888-SOS-VOTE or (515) 281-0145
- Email: sos@sos.iowa.gov
- Mail: Lucas Building, 1st Floor
321 E. 12th Street
Des Moines, IA 50319

The Secretary of State's website also provides useful information for candidates on these topics: <http://sos.iowa.gov/elections/candidates/index.html>.

Where can I find information about campaign disclosure and ethics requirements?

For information about candidates' ethics and campaign filing responsibilities and deadlines, please contact the Iowa Ethics and Campaign Disclosure Board at (515)281-4028 or www.iowa.gov/ethics.

2019 School Election Candidate's Calendar

Date	Event	Code Cite
Monday, August 26	Candidate Filing Begins. First day to file nomination papers with the school secretary or community college board secretary.	§260C.15(3), 277.4(1)
Thursday, September 19 – 5 p.m.	Candidate Filing Deadline. Last day to file nomination papers with the school secretary or community college board secretary. Deadline is 5 p.m.	§260C.15(3), 277.4(1)
Saturday, September 21	Last Day for Vacancies. Vacancies on school board or community college occurring on or before today must be filled at the school election.	§69.12(1)(a)(3), 260C.11(1) 279.6
Tuesday, September 24 – 5 p.m.	Candidate Withdrawal Deadline. Last day for candidates to withdraw by filing a written request with the school secretary. Deadline is 5 p.m. Candidate Objection Deadline. Last day to file written objections to nomination papers or eligibility of a candidate with school or community college board secretary.	§277.4(4) §260C.15(4), 277.5
Monday, October 7 – 5 p.m.	Satellite Absentee Voting Station Petition Deadline. A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m. <i>This deadline falls on Sunday and is therefore moved to the next business day.</i>	§47.4, 53.11(2)(d)
Monday, October 21	Worry-Free Postmark Date. Mailed voter registrations forms which are postmarked on or before today are considered on time to be pre-registered for the school election even if they are received after the pre-registration deadline.	§48A.9(3)
Friday, October 25 – 5 p.m.	Voter Pre-Registration Deadline. The deadline to pre-register to vote for the school election is 5 p.m. Exception: Mailed registration forms postmarked on or before the worry-free postmark date, are considered on time even if they are received after 5 p.m. today.	§48A.9(1)
	Absentee Ballot by Mail Request Deadline. Last day to request an absentee ballot be mailed. Deadline is 5 p.m.	§53.2(1)(b)
Monday, November 4	Absentee Ballot In-Person Deadline. Last day to request and vote an absentee ballot in person at the county auditor's office.	§53.2(1)(a)

Date	Event	Code Cite
Tuesday, November 5	School Election Day. Polls are open from 7 a.m. until 8 p.m.	§49.73(1), 260C.15(1), 277.1
Thursday, November 7	Special Precinct Board Convened. The county auditor must convene the special precinct board no earlier than noon to consider provisional ballots and absentee ballots that were postmarked the day before the election or earlier.	§50.21, 50.22
Monday, November 11/ Tuesday, November 12	1st-Tier County Canvass of Votes for Regular City Election (Final Canvass if Jurisdiction is in Only One County).	
Moves to	May occur on Monday or Tuesday.	§277.20
Tuesday, November 12/Wednesday November 13	Moves to Tuesday or Wednesday due to Holiday.	
Thursday, November 14/ Friday, November 15 –	Recount Request Deadline for Cities without Runoff Provisions. Written requests must be filed with the county auditor by 5 p.m. on the third day after the first canvass of votes.	§50.48(1)
Friday, November 15/Monday, November 18 5 p.m.		
Monday, November 18/Tuesday, November 19	2nd-Tier County Canvass of Votes for School Election (Final Canvass if Jurisdiction is in More Than One County).	§50.24(3A)
Monday, December 2	Contest Notice Deadline for School Districts if 1st-Tier Canvass was Final Canvass.	§57.6, 62.5(1), 277.22
Moves to Monday, December 2 OR Tuesday, December 3	Statement of intent to contest election must be filed in the county auditor's office within 20 days after the day the apparent winner was declared elected.	
Monday, December 9	Contest Notice Deadline for School Districts if 2nd-Tier Canvass was Final Canvass.	§57.6, 62.5(1), 277.22
	Statement of intent to contest election must be filed in the county auditor's office within 20 days after the day the apparent winner was declared elected.	