

# Candidate's Guide to the School Election

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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 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,
- Be a resident of Iowa, and
- Be 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, and
- 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 during the filing period. They cannot be filed before or after the filing period. The filing period is:

**First day:** Monday, July 8, 2013

**Last day:** Thursday, August 1, 2013 – 5 p.m.

There are no filing fees in Iowa.

[§277.4(1)]

## Preparing Nomination Papers

### Affidavit of Candidacy

Each candidate must complete and file an affidavit of candidacy. Affidavits lacking the required information listed below will be rejected:

- 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.

- 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 2013 School Election will be held on Tuesday, September 10.

- Candidate Affiliation

Leave this blank. School offices are non-partisan.

- 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 filing officer 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 will complete the verification on the bottom of the affidavit. Once an affidavit is notarized, the affidavit cannot be altered.

## **Nomination Petitions**

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

### **Preparing Nomination Petitions**

Before anyone signs the petition, complete the required information in the header of every petition page. Signatures cannot be counted on petitions missing the required information.

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

The following information is required on each petition header:

- **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**

- **Candidate's County and City of Residence**

- **Type and Date of Election**

The 2013 School Election will be held on Tuesday, September 10.

- **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.

- **School District 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.

## **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, 2013. 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 county 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. 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 and street name. Providing a post office box only is not sufficient. A signer who is homeless should describe where the signer lives or write "homeless."

- The name of the city in which they live
  
- 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 your 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 only be returned 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 your petition you know should not be included, simply draw a line through the names. Those signatures will not be counted.

- Make a copy of your nominations papers for your own records.**

- Bind your 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 they file early, candidate 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 filing officer 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 filing officer before the deadline.

## Frequently Asked Questions

### **Can I run for more than one office?**

No. If a candidate files nomination papers for more than one office appearing on the same ballot, the candidate must file an affidavit on or before the last day to file candidate nomination papers declaring the one office the candidate wishes to run for. 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.

**Exception:** This prohibition against seeking more than office does not apply to:

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

[§39.11, 49.41(3)]

### **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 office does not apply to:

- County agricultural extension council members, or
- 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](mailto:hatchact@osc.gov)  
[www.osc.gov/hatchact.htm](http://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. You can contact the Elections Division of the Secretary of State's Office in the following ways:

- Be phone: 1-888-SOS-VOTE or 515-281-0145
- By email: [sos@sos.iowa.gov](mailto:sos@sos.iowa.gov)
- By mail: Lucas Building, 1<sup>st</sup> Floor  
321 E. 12<sup>th</sup> 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](http://www.iowa.gov/ethics).

## 2013 School Election Candidates' Calendar

Date	Event	Code Cite
Monday, July 8	<b>Candidate Filing Begins.</b> First day to file nomination papers with the school secretary or community college board secretary.	§260C.15(3), 277.4(1)
Saturday, July 27	<b>Last Day for Vacancies.</b> 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.11 279.6
Thursday, August 1 5 p.m.	<b>Candidate Filing Deadline.</b> 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)
Tuesday, August 6 – 5 p.m.	<b>Candidate Withdrawal Deadline.</b> Last day for candidates to withdraw by filing a written request with the school secretary. Deadline is 5 p.m.	§277.4(4)
	<b>Candidate Objection Deadline.</b> Last day to file written objections to nomination papers or eligibility of a candidate with school or community college board secretary.	§277.5, 260C.15(4)
Monday, August 12 – 5 p.m.	<b>Satellite Absentee Voting Station Petition Deadline.</b> 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, August 26	<b>Worry-Free Postmark Date.</b> 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 Friday, August 30.	§48A.9(3)
Friday, August 30 – 5 p.m.	<b>Voter Pre-Registration Deadline.</b> The deadline to pre-register to vote for the school election is 5 p.m.	§48A.9(1)
	<b>Exception:</b> Mailed registration forms postmarked on or before Monday, August 26, are considered on time even if they are received at 5 p.m. today.	
Friday, September 6 – 5 p.m.	<b>Absentee Ballot by Mail Request Deadline.</b> Last day to request an absentee ballot by mail. Deadline is 5 p.m.	§53.2(1)(b)
Monday, September 9	<b>Absentee Ballot In-Person Deadline.</b> Last day to request and vote an absentee ballot in person at the county auditor's office.	§53.2(1)(a)
	<b>Exception:</b> If the polls open at noon on election day, voters may vote by absentee ballot in person at the auditor's office from 8 a.m. until 11 a.m.	

Date	Event	Code Cite
Tuesday, September 10	<b>School Election Day.</b> Polls are open from 7 a.m. until 8 p.m.	§49.73, 260C.15(1), 277.1
	<b>Exception:</b> The polls may be opened at noon for any school election unless the county auditor receives a petition objecting to the shortened hours.	§49.73(1)(a), 49.73(2)
	If the polls open at noon, voters may vote by absentee ballot in person at the county auditor's office from 8 a.m. until 11 a.m.	§53.2(1)(a)
Wednesday, September 11	<b>Special Precinct Board Convened.</b> The county auditor must convene the special precinct board at noon to consider provisional ballots and absentee ballots that were postmarked before Tuesday, September 10.	§50.21, 50.22
Friday, September 13	<b>County Canvass of Votes for School Districts.</b>	§277.20
Monday, September 16 – 5 p.m.	<b>Recount Request Deadline.</b> Written requests for a recount must be filed in the county auditor's office by 5 p.m.	§50.48(1)(a)
Monday, Sept. 30	<b>Control County Canvass of Votes for Community Colleges.</b> Canvass of county abstracts for community colleges by the board of supervisors of the control county. The canvass may also be conducted at the last regular board of supervisors meeting in September.	§260C.15(5)
Thursday, October 3 (school districts)	<b>Contest Notice Deadline for School Districts.</b> 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.	§57.6, 62.5(1), 277.22
<i>*Date varies for community colleges.</i>	<b>Important Note:</b> This date will vary for community colleges depending on when the canvass occurs.	