

**TO:** All Interested Parties  
**FROM:** Lisa F. Tanselle, Staff Attorney  
**RE:** School Board Candidate Election Procedures, 2012\*  
**DATE:** May 14, 2012

## I. Dates to File

### A. General Election (November 6, 2012)

July 25, 2012	First day for filing Petition of Nomination ( <i>IC 3-8-2.5-4</i> )
12:00 Noon	Last day and hour for filing Petition of Nomination ( <i>IC 3-8-2.5-4</i> )
August 24, 2012	

## II. Election Procedures

### A. Petitions of Nomination

Petitions of nomination (CAN-34) are available: (1) at the offices of the Indiana Secretary of State, Election Division; (2) on the Division's website at [www.in.gov/sos/elections](http://www.in.gov/sos/elections); and (3) from county election boards. Petitions of nomination must be filed with the appropriate county voter registration office. Candidates seeking election in a school corporation that is located in more than one county must file their petitions with the county election board in the county that contains the greatest percentage of population of the school corporation.

In most community school corporations, the petitions must be signed by the candidate and ten (10) registered voters residing within the boundaries of the school corporation. (*IC 20-23-4-29.1*) (In some school corporations, more signatures are required. Candidates should check with the county election board to determine the number of signatures required.) In a metropolitan school district, the petitions must be signed by the candidate and ten (10) registered voters residing in the same board member district as the candidate. (*IC 20-23-7-8.1*).

### B. Campaign Financial Statements

Any school board candidate who receives \$500 or less in contributions or spends \$500 or less as a candidate is not required to file campaign finance reports. Any candidate who exceeds these amounts is required to file such reports and is subject to additional election law procedures, such as the designation of a principal committee and the appointment of a chairman and treasurer of such committee. (*IC 3-9-1 & IC 3-9-5*.) Please contact your county election board for information on the filing of these reports and other additional requirements. Campaign financial information may also be found on the website of the Indiana Secretary of State, Election Division.

### C. Campaign Violations

Among the criminal offenses for campaign violations are: filing a fraudulent petition of nomination; filing a fraudulent campaign financial statement; and failing to file a campaign financial statement. (*IC 3-14-1*)

NOTE: Any school board candidate who receives more than \$500 in contributions or spends more than \$500 as a candidate is also subject to civil penalties for failure to file reports required by law. (*IC 3-9-4*)

### D. Applicable Laws

IC 3-9-2 (campaign contributions); IC 3-9-3-2.5 (candidate communications disclaimer); IC 3-9-4 (election boards' duties); IC 3-10-6 (school district elections in all cities; towns having a population of 3,500 or more; and towns in Marion County); and IC 3-14-1 (campaign violations).

***\*This memo is for informational purposes only. CONTACT YOUR COUNTY ELECTION BOARD TO VERIFY THE ABOVE DATES AND STATUTORY REQUIREMENTS***

E. Additional Information

Candidates should contact the county election board with any questions regarding dates, procedures, and completing the proper forms. Candidates may also contact the Election Division of the Indiana Secretary of State at 317/232-3939 or toll-free at 800/622-4941 or access their website at [www.in.gov/sos/elections](http://www.in.gov/sos/elections).

**III. Eligibility Requirements**

A. Voter Registration

A person is not qualified to run for:

- (1) a state office;
- (2) a legislative office;
- (3) a local office; or
- (4) a school board office;

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination. *(IC 3-8-1-1(b))*

B. Felony Conviction

A person is disqualified from assuming or being a candidate for an elected office if, among other things, the person has been convicted of a felony that has not been pardoned, reversed, vacated, set aside, or not entered because the trial court did not accept the person's guilty plea. *(IC 3-8-1-5)*

C. Multiple Lucrative Offices

A person may not hold more than one (1) lucrative office at a time, as provided in Article 2, Section 9 of the Constitution of the State of Indiana. *(IC 3-8-1-3)*

D. Residence

A candidate for a school board office must have resided in the school corporation for at least one (1) year before the election, unless a longer period is required under IC 20 (see, for example, IC 20-23-7-5). If a candidate is seeking to represent an election district that consists of less than the entire school corporation, the candidate must have resided in the election district for at least one (1) year before the election, unless a longer period is required under IC 20 (see, for example, IC 20-23-14-5). *(IC 3-8-1-34)*

E. Age

No person otherwise eligible to assume office as a member of a governing body shall be disqualified on the basis of age, if the individual is at least twenty-one (21) years of age. *(IC 20-26-4-9)*

F. Property Ownership

Property ownership may not be a qualification for serving as a member of a governing body. *(IC 20-26-4-10)*

G. School Corporation Employees

An individual who is employed as a teacher or as a noncertificated employee of the school corporation may not be a member of the governing body of the school corporation. *(IC 20-26-4-11)*

## Indiana School Boards Association has scheduled Ten Regional School Board Candidate Forums

These forums are designed to inform new candidates and incumbents running for re-election about school boardsmanship. Some of the topics to be discussed include the roles and responsibilities of being a school board member, ethics, and legal responsibilities, such as complying with the Open Door Law. There is time allotted for questions from the audience.

ISBA encourages as many local candidates to attend so if you are running or know someone running for your local school board please forward this information to them. Cost is \$35 and each candidate will receive a school board candidate's kit, which contains valuable information on the financial, legal, and ethical aspects of serving on a school board.

Please see the attached schedule for local dates and locations for the Candidate Forum in your area. ALL CANDIDATE FORUMS WILL BE HELD IN THEIR RESPECTIVE VENUES FROM 6:30-9:00PM AND ARE SUBJECT TO CANCELLATION IF THERE ARE LESS THAN 5 REGISTRATIONS AT A PARTICULAR SITE.

<b>Date</b>	<b>Region</b>	<b>Location</b>
Monday, July 16	1	Merrillville High School Freshman Wing, Entrance J 276 E. 68 <sup>th</sup> Place Merrillville, Indiana
Tuesday, July 17	2	Plymouth Schools Administration Bldg., Board Room 611 Berkley Street Plymouth, Indiana
Wednesday, July 18	3	Fort Wayne Community Administration Building, Board Room 1200 S. Clinton Street Fort Wayne, Indiana
Thursday, July 19	4	Lafayette School Corporation Hiatt Administration Center 2300 Cason Street Lafayette, Indiana

Monday, July 23	5	Kokomo High School Auditorium 2501 South Berkley Road Kokomo, Indiana
Tuesday, July 24	6	Muncie Community School Anthony Administration Building 2501 North Oakwood Avenue Muncie, Indiana
Wednesday, July 25	7	Greencastle High School Parker Auditorium 910 E. Washington Street Greencastle, Indiana
Thursday, July 26	8	Beech Grove High School Administration Bldg., Board Room 5330 Hornet Avenue Beech Grove, Indiana
Monday, July 30	9	Jasper High School Auditorium 1600 St. Charles St. Jasper, Indiana
Tuesday, July 31	10	Seymour High School Auditorium 1638 S. Walnut Street Seymour, IN 47274

Pick your location in from the listing and Register today online <http://www.isba-ind.org/meetings/CandidateForumReg.htm>

Thank you for your continued support of ISBA and we look forward to seeing you at these local meetings!

Please contact ISBA, not the facility, if you have any questions regarding the forum.