

# Candidate's Guide to the School Election

November 7, 2023

Prepared by the Office of the Iowa Secretary of State

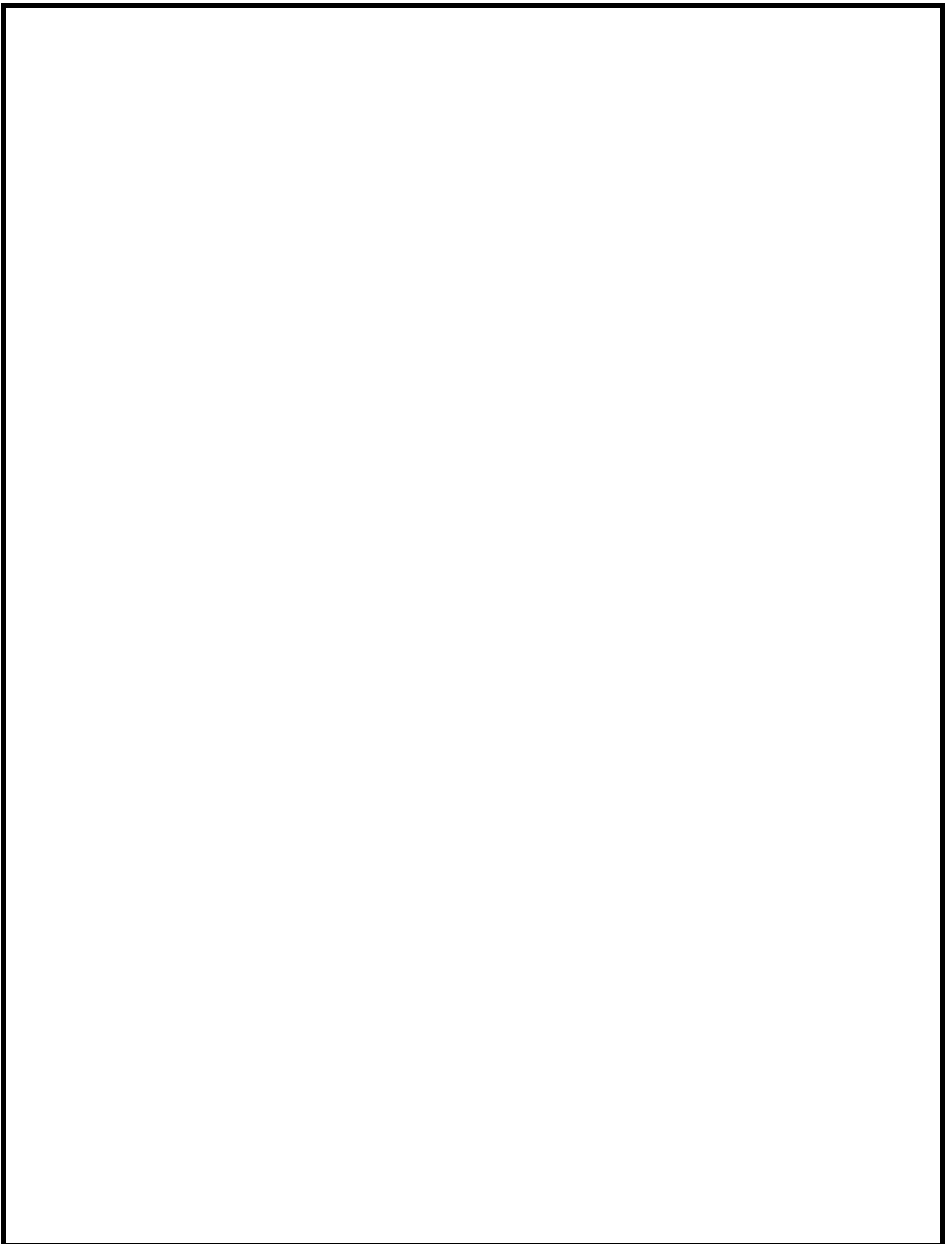
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<http://sos.iowa.gov/elections/candidates/index.html>

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 directors and merged area (community college) trustees and vote on public measures for these jurisdictions. It is held in conjunction with the regular city election, so the election is known as the city–school election.

[§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, including via Executive Order)
- Be currently judged incompetent to vote by a court
- Claim the right to vote in any other place

[§39.3(6)]

### **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 and 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]

### **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 28, 2023

**Last day:** Thursday, September 21, 2023 – 5:00 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. 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, school district, and 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 with questions about whether you are running to fill a vacancy.

- Type and Date of Election

The 2023 Regular City–School Election will be held on Tuesday, November 7.

- Candidate's Home Address

Candidates must provide their house number and street name. 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/ccnompet.pdf>.

## **Candidate Information**

**Before anyone signs the petition**, the required information in the candidate header of every petition page must be completed.

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

The information listed below must appear on each petition candidate 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 2023 Regular City–School Election will be held on Tuesday, November 7.

- 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 also should 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 with questions about whether you are running to fill a vacancy.

[§260C.15(2), 277.4(2)]

## 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, 2023. Signature requirements for candidates who are elected only by the voters of a director district are based on the number of registered voters in that director district.

Ask the school secretary or controlling 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 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 voted on only 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 still must 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 5:00 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 the candidate's name can appear under both offices on the same ballot. Separate sets of nomination paperwork must be filed with the appropriate filing officer for each office.

[§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](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.

- Phone: 1-888-SOS-VOTE or (515) 281-0145
- Email: [sos@sos.iowa.gov](mailto:sos@sos.iowa.gov)
- 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).

## 2023 School Election Candidate’s Calendar

| Date                                   | Event  | Code Cite                          |
|--|--|------------------------------------|
| Monday,<br>August 28                   | <b>Candidate Filing Begins</b><br>First day to file nomination papers with the school secretary or community college board secretary.  | §260C.15(3),<br>277.4(1)           |
| Thursday,<br>September 21<br>5:00 p.m. | <b>Candidate Filing Deadline</b><br>Last day to file nomination papers with the school secretary or community college board secretary. Deadline is 5 p.m.  | §260C.15(3),<br>277.4(1)           |
| Tuesday,<br>September 26<br>5:00 p.m.  | <b>Candidate Withdrawal Deadline</b><br>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><br>Last day to file written objections to nomination papers or eligibility of a candidate with school or community college board secretary.  | §260C.15(4),<br>277.5              |
| Monday,<br>October 9<br>5:00 p.m.      | <b>Satellite Absentee Voting Station Petition Deadline</b><br>A petition requesting a satellite absentee voting station must be filed with the county auditor no later than 5 p.m.   | §47.4,<br>53.11(2)(d)              |
| Monday,<br>October 23                  | <b>Worry–Free Postmark Date</b><br>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)                          |
|  | <b>Voter Pre-Registration Deadline</b><br>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 the worry–free postmark date, are considered on time even if they are received after 5 p.m. today.   |                                    |
|  | <b>Absentee Ballot by Mail Request Deadline</b><br>Last day to request an absentee ballot be mailed. Deadline is 5 p.m.  | §53.2(1)(b)                        |
| Monday,<br>November 6                  | <b>Absentee Ballot In-Person Deadline</b><br>Last day to request and vote an absentee ballot in person at the county auditor’s office.   | §53.2(1)(a)                        |
| Tuesday,<br>November 7                 | <b>School Election Day</b><br>Polls are open from 7 a.m. until 8 p.m.  | §49.73(1),<br>260C.15(1),<br>277.1 |
| Thursday,<br>November 9                | <b>Special Precinct Board Convened</b><br>The auditor may convene the special precinct board no earlier than noon to consider provisional ballots and UOCAVA and Safe at Home ballots that were postmarked the day before the election or earlier. | §50.21, 50.22                      |

| <b>Date</b>   | <b>Event</b>  | <b>Code Cite</b>          |
|---|---|---------------------------|
| Friday,<br>November 10  | <b>Veteran’s Day Observed – State Offices Closed</b>  | §1C.1                     |
| Monday,<br>November 13 /<br>Tuesday,<br>November 14               | <b>1<sup>st</sup>-Tier County Canvass of Votes<br/>(Final Canvass if Jurisdiction is in Only One County)</b><br>May occur on Monday or Tuesday.   | §277.20                   |
| Thursday,<br>November 16 /<br>Friday,<br>November 17<br>5:00 p.m. | <b>Recount Request Deadline</b><br>Written requests must be with the county auditor by 5 p.m. the third day following the canvass. If county office is closed on Veterans Day, recount requests normally due on Thursday November 11 move to Friday November 12 at 5 p.m. | §50.48(1)                 |
| Monday,<br>November 20 /<br>Tuesday,<br>November 21               | <b>2<sup>nd</sup>-Tier County Canvass of Votes<br/>(Final Canvass if Jurisdiction is in More Than One County)</b>   | §50.24(3A)                |
| Monday,<br>December 4   | <b>Contest Notice Deadline for School Districts if 1<sup>st</sup>-Tier Canvass was Final Canvass</b><br>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),<br>277.22 |
| Monday,<br>December 11  | <b>Contest Notice Deadline for School Districts if 2<sup>nd</sup>-Tier Canvass was Final Canvass</b><br>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),<br>277.22 |