

2017 Instructions for Filing for Annual School Elections

ELECTION DATES

Annual School Election — February 14, 2017

Annual School Runoff Election — April 4, 2017

FILING PERIOD

Opens 8:00 A.M., December 5, 2016

Closes 5:00 P.M., December 7, 2016

WHERE TO FILE

County Election Board of the county wherein supervision of the school district is located or the County Election Board in the county in which the candidate resides

NUMBER OF COPIES TO BE FILED

One original of the Declaration of Candidacy form

One original Requirements of a Candidate for Election or Reelection to a School Board form

CONTESTS OF CANDIDACY

Period closes 5:00 P.M., December 9, 2016. Contests of candidacy are filed with the County Election Board Secretary who accepted the Declaration of Candidacy.

GENERAL INSTRUCTIONS

1. No Declaration of Candidacy can be accepted if it is received by the County Election Board Secretary later than 5:00 P.M. on the last day of the filing period.
2. The Declaration of Candidacy must be completely filled out, signed by the candidate and notarized by a Notary Public or other person authorized to administer oaths.
3. The Requirements of a Candidate for Election or Reelection to a School Board form must be signed by the candidate and submitted to the County Election Board at the time the Declaration of Candidacy is filed.
4. State law – Title 26 O.S. §5-111 – requires all candidates for elective office to disclose whether they ever have been convicted of a misdemeanor involving embezzlement or of a felony in Oklahoma or any other state and/or whether an arrest warrant is outstanding in connection with such misdemeanor or felony. Follow instructions on the Declaration of Candidacy form to make such disclosure.
5. In contests of candidacy and in contests of election, the County Election Board Secretary is the constructive service agent for each candidate. By the act of filing his Declaration of Candidacy, each candidate is conclusively presumed to have accepted such constructive service.
6. A candidate's name will be printed on the ballot as it is entered on the first line of the Declaration of Candidacy; however, no candidate shall have any prefix, suffix, or title placed before or after his name. A candidate's full legal name also must be provided on the Declaration of Candidacy.
7. A candidate may withdraw from the Annual School Election by filing a written notice with the County Election Board Secretary before 5:00 P.M. on Friday following the close of the filing period. The notice must be signed by the candidate, whose signature must be notarized by a Notary Public or other person authorized to administer oaths.
8. Board of Education candidates filing Declarations of Candidacy with the County Election Board Secretary also may be required to register and file campaign finance reports with the clerk of the Board of Education. A Statement of Organization for a candidate committee may be filed at any time but must be filed within 10 days after a candidate has accepted or spent more than \$1,000 for his or her campaign. For more information, visit the Ethics Commission website at www.ethics.ok.gov; contact the Ethics Commission by email at ethics@ethics.ok.gov; by regular mail at State Capitol Building Room B-5, Oklahoma City, OK 73105; or by phone at (405) 521-3451.

DECLARATION OF CANDIDACY

(for nonpartisan Board of Education and Municipal Officer candidates)

Notice: All information provided on this form will be made publicly available.

PLEASE TYPE OR PRINT

Name of Candidate as It Will Appear on Ballot

Full Legal Name of Candidate

Title of Office Sought (including district, office or ward number if applicable)

Candidate's Address of Residence — Street, City

Candidate's Mailing Address — Street or Box, City, State, ZIP

Telephone Number (Optional)

Email Address (Optional)

Website Address (Optional)

I am a registered voter in _____
Precinct

County

Date of Birth _____
Month, Day, Year

Criminal History Disclosure:

Have you been determined by a court of proper authority in the State of Oklahoma or in another state to be guilty of a misdemeanor involving embezzlement or of a felony, or at this time is there an outstanding warrant for your arrest for a misdemeanor involving embezzlement or for a felony in the State of Oklahoma or in another state? If you check yes below, you must complete the Criminal History Disclosure Supplement form.

Yes

No

I, the undersigned, do hereby solemnly swear or affirm that the abovementioned facts are true and correct, that I have read the qualifications for the office that I seek, that I am fully qualified to become a candidate for said office, and that I will be fully qualified to hold said office, if elected.

Signature of Candidate

State of _____ County of _____

Subscribed and sworn to before me _____
Date

My commission expires _____ Commission number _____
Date

SEAL

Signature of Notary Public or Officer Authorized to Administer Oath

Title of Officer (Notary Public or Other Officer)

Name of candidate: _____

Title of office sought: _____

Criminal History Disclosure Supplement to Declaration of Candidacy

If you have been determined by a court of proper authority in the State of Oklahoma or in another state to be guilty of a misdemeanor involving embezzlement or of a felony, or at this time there is an outstanding warrant for your arrest for a misdemeanor involving embezzlement or for a felony in the State of Oklahoma or in another state, you must complete the Criminal History Disclosure Supplement form.

Name of offense

Date of conviction or issuance of outstanding warrant

Time prescribed in judgment and sentence

County and State of conviction or issuance of the outstanding warrant

Name of offense

Date of conviction or issuance of outstanding warrant

Time prescribed in judgment and sentence

County and State of conviction or issuance of the outstanding warrant

Name of offense

Date of conviction or issuance of outstanding warrant

Time prescribed in judgment and sentence

County and State of conviction or issuance of the outstanding warrant

Candidate Requirements for Election or Re-Election to a Board of Education

Title 26 O.S. §5-105a:

A. A person who has been convicted of a misdemeanor involving embezzlement or a felony under the laws of this state or of the United States or who has entered a plea of guilty or nolo contendere to such misdemeanor involving embezzlement or felony or who has been convicted of a crime in another state which would have been a misdemeanor involving embezzlement or a felony under the laws of this state or has entered a plea of guilty or nolo contendere to such crime shall not be eligible to be a candidate for or to be elected to any state, county, municipal, judicial or school office or any other elective office of any political subdivision of this state for a period of fifteen (15) years following completion of his sentence or during the pendency of an appeal of such conviction or plea.

B. The provisions of this section shall not be construed to preclude a person who has received a pardon from being eligible for or from holding public office.

Title 26 O.S. §13A-106:

A. To be eligible to be a candidate for member of the board of education of a school district or technology center school district, a person must have resided in the district or, if the board seat is in an independent district, have resided in that district for at least six (6) months preceding the first day of the filing period, and have been a registered voter registered with the county election board at an address located within the geographical boundaries of the district for six (6) months preceding the first day of the filing period. Beginning May 1, 1990, no person shall be eligible to be a candidate for or elected to be a member of the board of education of a school district or technology center school district unless the person has been awarded a high school diploma or certificate of high school equivalency. In school districts that are divided into election districts, a candidate must have resided in the district for at least six (6) months preceding the first day of the filing period and have been a registered voter registered with the county election board at an address located within the geographical boundaries of the election district for six (6) months preceding the first day of the filing period. Beginning May 1, 1990, no person shall be eligible to be a candidate for or elected to be a member of the board of education unless the person has been awarded a high school diploma or certificate of high school equivalency.

Title 70 O.S. §5-110:

A. A school district elector who is elected or appointed to be a member of a school district board of education prior to January 1, 2014, shall obtain instruction on education issues in accordance with rules promulgated by the State Board of Education. Except as provided in subsection B of this section, at the time a school district elector files a notification and declaration of candidacy for the office of school district board of education membership or is appointed to be a member of a school district board of education on or after January 1, 2014, the elector shall agree and pledge in writing that, within fifteen (15) months of election or appointment as a member of the district board of education, the member will complete at least twelve (12) hours of instruction on education issues in the following areas: school finance; legal issues, which include but are not limited to employment, due process, new laws, the Oklahoma Open Records Act and the Oklahoma Open Meeting Act; and duties and responsibilities, which include but are not limited to special education and ethics, of district board of education members. Each elector shall agree and pledge in writing to complete at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a two-day workshop to be held within the state by the State Department of Education, by the Oklahoma Department of Career and Technology Education, or by attending workshops, seminars or classes which address the above-mentioned subject matter, and which are sponsored by any organization approved by the State Board of Education, including but not limited to institutions of higher education. The State Board of Education shall promulgate rules by which an organization or particular courses offered by an organization may be approved for purposes of fulfilling the instructional requirements set out in this section.

B. When an incumbent of a district board of education files a notification and declaration of candidacy for reelection to the district board of education, the member shall be required to agree and pledge in writing that upon reelection the member will complete six (6) hours of instruction, within fifteen (15) months of election, including one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a workshop, class or seminar addressing the education issues set forth in subsection A of this section.

Title 70 O.S. §5-110.1:

A. In addition to the requirements of Section 5-110 of this title, every member of a school district board of education elected to a full term of office of five (5) years or more shall be required to attend a minimum of fifteen (15) hours of continuing education, each member elected to a full four-year term of office shall be required to attend a minimum of twelve (12) hours of continuing education, and each member elected to a full three-year term of office shall be required to attend a minimum of nine (9) hours of continuing education, prior to the date set for filing for reelection to that respective board seat. The continuing education courses, workshops, seminars, conferences, and conventions which shall satisfy the continuing education requirement shall be approved jointly by the State Department of Education and the Oklahoma Department of Career and Technology Education.

B. Local and state continuing education programs conducted pursuant to the provisions of this section shall be held in all regions of the state at institutions of higher learning, area technology centers or other approved sites. Notice of such courses and seminars shall be provided to all school board members and to the public schools.

C. This section shall not apply to those school board members who file for reelection prior to July 1, 1991.

D. If a school board member has not satisfied the continuing education requirements of this section, the school district board of education shall declare the seat of the member vacant within thirty (30) days of the date of receipt of notice that the member has not completed the requirements as provided for pursuant to Section 5-110.2 of this title and shall fill the vacancy according to law. Failure by a board member to satisfy the continuing education requirements of this section shall result in the ineligibility of the member to be reappointed to, run for reelection to or to hold that respective board seat on the school district board of education or to run for election to or to hold any other board seat on the board of education for a three-year period for three-member boards, for a four-year period for seven-member boards or for a five-year period for five-member boards.

E. The State Department of Education, the Oklahoma Department of Career and Technology Education, and any organization approved by the State Board of Education, including but not limited to institutions of higher education, may charge persons attending continuing education courses a registration fee sufficient to defray the estimated costs of presenting the course. The registration fees for each course shall be announced prior to the date of such course.

F. Any member of a school district board of education who attends and completes a course which satisfies in part or in full the requirements of this section shall be reimbursed by the school district for expenses incurred. In addition, a school district board of education may reimburse members of the board of education for expenses incurred in registering and attending board member training programs or activities approved by the board which are in addition to the minimum school board training requirements established by law.

Title 70 O.S. §5-113:

A. No person shall be eligible to be a candidate for or serve on a board of education if the person is currently employed by the school district governed by that board of education or is related within the second degree by affinity or consanguinity to any other member of the board of education or to any employee of the school district governed by the board of education. The purpose of this section is both to prohibit persons who are related within the second degree by affinity or consanguinity from serving simultaneously on the same board of education of any school district of this state and to prohibit persons who are related within the second degree of consanguinity or affinity to an employee of a school district from serving on the board of education governing the school district while such relative is employed.

B. If the relationship is based on affinity, the prohibitions in this section shall not apply to prevent members of boards of education who are serving on September 1, 1995, from serving the term for which they were elected or from serving successive terms for which they may be elected, unless it is the member's spouse who is a member of the board of education or an employee of the school district, then such prohibitions shall apply.

C. The prohibitions set forth in this section shall not apply if the person related to the board member within the second degree of affinity or consanguinity is employed as a substitute teacher by the school district pursuant to the provisions of Section 6-105 of this title or as a temporary substitute support employee if the school district has an Average Daily Membership (ADM) of less than five thousand (5,000).

D. Any member of a board of education who violates the provisions of this section shall be subject to the penalties prescribed by Sections 485 and 486 of Title 21 of the Oklahoma Statutes.

I swear or affirm that I have read these statutory requirements and that I am eligible to become a candidate for member of the Board of Education and to serve in such office if elected.

Candidate's Signature

Candidate's Printed Name

Date

This document, signed and dated by the candidate, must be submitted to the County Election Board Secretary with the completed, signed Declaration of Candidacy form.