

# 2021 Board of Education Candidate Filing Packet

## ELECTION DATES

Board of Education Primary Election – February 9, 2021

Board of Education General Election – April 6, 2021

## FILING PERIOD

Opens 8:00 A.M., December 7, 2020

Closes 5:00 P.M., December 9, 2020

## 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

## DECLARATION OF CANDIDACY

A Board of Education Declaration of Candidacy consists of the following documents, all of which are contained in this packet.

- Candidate Information and Oath form signed by candidate and notarized
- Criminal History Disclosure form signed by candidate, if required
- Qualifications and Requirements for Board of Education Candidates form signed by candidate

## CONTESTS OF CANDIDACY

Contests of candidacy may be filed until 5:00 P.M., Friday, December 11, 2020. 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 Board of Education Candidate Information and Oath form must be completely filled out, signed by the candidate, and notarized by a Notary Public or other person authorized to administer oaths.
3. The Qualifications and Requirements for Board of Education Candidates form must be signed and dated by the candidate.
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 Candidate Information and Oath form and fill out and file the Criminal History Disclosure form if necessary.
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 a 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 the name. A candidate's full legal name also must be provided on the Declaration of Candidacy.
7. A candidate may withdraw 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 who file Declarations of Candidacy also may be required to register and file campaign finance reports with the School District Clerk's office. 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, contact the School District Clerk's office or visit the Oklahoma Ethics Commission website at [www.ethics.ok.gov](http://www.ethics.ok.gov); contact the Ethics Commission by e-mail at [ethics@ethics.ok.gov](mailto:ethics@ethics.ok.gov); or by regular mail at State Capitol Building Room G27, Oklahoma City, OK 73105; or by phone at (405) 521-3451.
9. **NEW LAW:** If only two candidates file for a Board of Education office scheduled to be on the ballot, a Board of Education General Election will be held on April 6, 2021. If three or more candidates file for a Board of Education office scheduled to be on the ballot, a Board of Education Primary Election will be held on February 9, 2021.
- If one candidate in the Board of Education Primary Election receives a majority of the total votes cast for that office, that candidate is elected.
  - If no candidate in the Board of Education Primary Election receives a majority of the total votes cast for that office, the two candidates who receive the highest number of votes advance to the Board of Education General Election.
- If only one candidate files for a Board of Education office on the ballot, the unopposed candidate is deemed elected.
10. In the event an unexpired term is on the ballot:
- If one candidate in the Board of Education Primary Election receives a majority of the total votes cast for that office, that candidate is elected.
  - If two or more candidates file for an unexpired term, all candidates for that office appear on the ballot at the Primary Election, and the candidate who receives the most votes is elected.

<b>BOARD OF EDUCATION CANDIDATE FILING CHECKLIST</b>		
Use this checklist to complete and assemble all required Declaration of Candidacy pages before filing with the Secretary of the County Election Board December 7 – 9, 2020.		
<input type="checkbox"/>	<p><b>DECLARATION OF CANDIDACY</b></p> <p><input type="checkbox"/> <b>Candidate Information and Oath</b> Complete the Candidate Information and Oath form. The candidate must personally sign the Candidate Information and Oath and the candidate's signature must be notarized.</p> <p>See Candidate Information and Oath form on filing packet page 3.</p>	<b>REQUIRED</b> for all candidates filing at the County Election Board for Board of Education.
<input type="checkbox"/>	<p><input type="checkbox"/> <b>Criminal History Disclosure</b> Provide all requested information.</p> <p>See Criminal History Disclosure form on filing packet page 7.</p>	<b>REQUIRED only</b> from a candidate who checks <b>YES</b> under Criminal History Disclosure on the Candidate Information and Oath form.
<input type="checkbox"/>	<p><input type="checkbox"/> <b>Qualifications and Requirements for Board of Education Candidates pages</b> Read, sign, and date appropriate Board of Education Candidate Qualifications for the office sought. See pages 5-6.</p>	<b>REQUIRED</b> for all candidates filing at the County Election Board for Board of Education.



# BOARD OF EDUCATION DECLARATION OF CANDIDACY

## Candidate Information and Oath

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

PLEASE TYPE OR PRINT

### CANDIDATE INFORMATION

Candidate's name as it will appear on ballot:		
Candidate's full legal name:	Date of birth: (Month, Date, Year)	
Title of Office Sought: (include district office or ward number if applicable)		
Name of school district or technology center district:		
Candidate's Residence Address: (Street, City, State, ZIP)		
Candidate's Mailing Address: (Street, City, State, ZIP)		
I am a registered voter in precinct # _____ in the County of _____		
Optional Information: Phone number: _____ E-mail Address: _____ Website: _____		

### CRIMINAL HISTORY DISCLOSURE AND OATH

**CRIMINAL DISCLOSURE:**  
 Have you been convicted, pled guilty or nolo contendere, or otherwise been determined by a court of proper authority in Oklahoma or in another state to be guilty of a misdemeanor involving embezzlement or of a felony under the laws of this state or of the United States? **\_\_YES \_\_NO**  
 Have you been named in an outstanding warrant for arrest for a misdemeanor involving embezzlement or a felony in this or any other state or of the United States? **\_\_YES \_\_NO**  
 If you answer **YES** to either of these questions, you are required to fill out and sign the Criminal History Disclosure form and include it in your Declaration of Candidacy.

I, the undersigned, swear or affirm that the information provided in this Board of Education Declaration of Candidacy is true and correct, that I have read and signed the Qualifications and Requirements for Board of Education Candidates and Members 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 \_\_\_\_\_

### NOTARY

SEAL	State of _____ County of _____  Subscribed and sworn before me on _____, 20____  My Commission expires _____ Commission Number _____  <div style="text-align: center;">           _____            Signature of Notary Public or Officer Authorized to Administer Oath             _____            Title of Officer (Notary Public or Other Officer)         </div>
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**Qualifications and Requirements for  
Board of Education Candidates  
Elementary, Independent, and Technology Center Districts**

***Title 26 O.S. 2005 Supp. Section 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 26 O.S. 2001, Section 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 70 O.S. 2001, Section 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. 2005 Supp. Section 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 sixty (60) days of the final date that the member has to complete the requirements as indicated by receipt of the certified notice from the State Board of Education as provided for pursuant to Section 5-110.2 of this title and shall fill the vacancy according to law. As determined by the State Board of Education pursuant to Section 5-110.2 of this title, 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 two-year period."

**Title 70 O.S. 2001, Section 5-113:**

"A. Except as otherwise provided in this section, 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 except as otherwise provided in this section.

"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:

1. 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); or
2. The school district has an ADM of less than four hundred (400), the board of education has adopted a policy providing for such candidate eligibility and the board member who is related within the second degree by affinity or consanguinity to any employee of the school district governed by the board of education complies with the provisions of subsection E of Section 5-113.1 of this title.

"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."

**By signing below, I am indicating that I am eligible to be a candidate for member of the board of education and, if elected, to serve in such office.**

\_\_\_\_\_  
Name of Candidate (print or type)

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date

# Oklahoma Declaration of Candidacy Criminal History Disclosure

Candidate's Name: \_\_\_\_\_ Title of office sought: \_\_\_\_\_

If you have been convicted, pled guilty or nolo contendere, or otherwise been determined by a court of proper authority in Oklahoma or in another state to be guilty of a misdemeanor involving embezzlement or of a felony under the laws of this state or of the United States, or if at this time you are named in an outstanding warrant for arrest for a misdemeanor involving embezzlement or for a felony in the State of Oklahoma or in another state, you are required to complete this Criminal History Disclosure form.

\_\_\_\_\_  
Name of offense

\_\_\_\_\_  
Date of conviction, plea of guilty or nolo contendere, or deferral of sentence or date of issuance of outstanding warrant

\_\_\_\_\_  
Time prescribed in original judgement and sentence

\_\_\_\_\_  
County and State of conviction, plea, or deferral or issuance of outstanding warrant

\_\_\_\_\_  
Name of offense

\_\_\_\_\_  
Date of conviction, plea of guilty or nolo contendere, or deferral of sentence or date of issuance of outstanding warrant

\_\_\_\_\_  
Time prescribed in original judgement and sentence

\_\_\_\_\_  
County and State of conviction, plea, or deferral or issuance of outstanding warrant

\_\_\_\_\_  
Name of offense

\_\_\_\_\_  
Date of conviction, plea of guilty or nolo contendere, or deferral of sentence or date of issuance of outstanding warrant

\_\_\_\_\_  
Time prescribed in original judgement and sentence

\_\_\_\_\_  
County and State of conviction or issuance of outstanding warrant

**X** \_\_\_\_\_ Date: \_\_\_\_\_

Candidate's Signature

Use additional copies of this form if more space is required. Page \_\_\_\_ of \_\_\_\_