



Deadlines for May 1, 2021 School District Elections

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Note: Because of the ongoing COVID-19 health crisis, deadlines and requirements may change. Continue to check this document online¹ and the Secretary of State Elections Division Advisory [No. 2020-37, May 1, 2021 Election Law Calendar](#), for updates. For information on safety at polling places, see TASB Legal Services' [Schools as Polling Places](#).

A district's postponement of its May 2020 election did not permanently change the district's election date or its schedule for trustee elections.

This memo provides important dates and deadlines applicable to school districts preparing for an election on May 1, 2021. TASB Policy BBB series contains specific information regarding a district's election procedures. Additional election resources are available at TASB School Law eSource, [Governance—Elections](#), and on the [Secretary of State Elections Division](#) website.

Most of the dates below pertain to a general trustee election. Deadlines for a special election to fill a trustee vacancy may vary from a general trustee election. Some special election dates are included, but a district holding a special election should contact the Elections Division, TASB Legal Services, or the district's attorney for more specific guidance.

Many of the deadlines and requirements below apply to voter-approval tax rate elections (VATREs) or bond elections, but different or additional requirements may also apply. Bond elections are addressed in TASB Policy CCA, and VATREs are addressed in TASB Policy CCG. For more information on VATREs, see eSource at [Business—Finance, Taxation, and Revenue—Taxation and Voter-Approval Tax Rate Elections](#); for information on bond issuances, see eSource at [Business—Finance, Taxation, and Revenue—Bonds, Other Revenue, and Investments](#).

Campaign finance deadlines are not included below but may be obtained from the [Texas Ethics Commission](#).

The Elections Division provides a comprehensive [election law calendar](#) for each uniform election date. The most important general election dates for school districts are as follows:

- **Monday, December 14, 2020:** Deadline to post notice of candidate application filing period.
- **Wednesday, January 13, 2021:** First day to file an application for a place on the ballot or declaration of write-in candidacy for the general election.

¹ tasb.org/services/legal-services/tasb-school-law-esource/governance/documents/deadlines-for-may-school-district-elections.pdf.

Note: Filing may begin before the board orders a **general election. School districts are required to make applications available for potential candidates. The Elections Division offers a [sample application](#).*

- **Monday, February 1, 2021:** Deadline to file with the Secretary of State regarding an exemption from the use of accessible voting equipment. For more information, see the Elections Division Advisories [No. 2019-23](#), *Electronic Voting System Procedures*, and [No. 2019-24](#), *Exemptions from Voting System Accessibility Requirements*.
- **Tuesday, February 9, 2021:** If a candidate dies on or before this date, the candidate's name **shall be** omitted from the ballot.
- **Friday, February 12, 2021:**
 - Deadline to order the May general election. The Elections Division offers a sample [Order of Election \(Form AW1-3\)](#).
 - Deadline to file an application for a place on the general election ballot (5:00 p.m.).

**Note: The Elections Division strongly recommends that someone be available to accept filings on the filing deadline, especially from 2:00-5:00 p.m. An application by mail, fax, or email must be received by the deadline.*

*If a candidate dies on or before the deadline for filing an application for a place on the ballot, the authority responsible for preparing the ballot **may** omit the candidate's name from the ballot. If the authority does so, the deadline for filing an application for a place on the ballot for the office sought by the candidate is **extended** to the fifth day after the filing deadline. No other deadlines are extended, but an extension of this deadline may affect the timing of other events, such as cancellation of the election.*
 - Recommended date to appoint presiding and alternate judges; presiding judges and alternates must be given written [notice of appointment](#) not later than the 20th day after appointment.
- **Tuesday, February 16, 2021:** Deadline to file [declaration of write-in candidacy](#) in the general election (5:00 p.m.).
- **Friday, February 19, 2021:**
 - Recommended first day to cancel an unopposed election if all requirements are satisfied. The Election Division's [Cancellation of Election](#) outline provides information about this process, and the Elections Division offers a [Certification of Unopposed Candidates](#) and sample [order of cancellation](#).
 - Last day a candidate may submit a [certificate of withdrawal](#) or notarized letter to withdraw from the general election (5:00 p.m.). If a candidate withdraws or is declared ineligible by this date, the candidate's name is omitted from the ballot.

Texas Election Code section 145.098 allows withdrawal after the deadline under limited circumstances.

- **Saturday, February 20, 2021:** Deadline to order a special election to fill a vacancy with a filing deadline on the 62nd day before election day.

**Note: A special election that is not held on the uniform date in November of even-numbered years must be ordered as soon as practicable after the vacancy occurs. Other deadlines may depend on when the election is ordered.*

- **Monday, February 22, 2021:** Recommended date to hold drawing to determine order of candidates' names on the ballot. Notice of the date, time, and place of the drawing must be posted continuously for 72 hours immediately preceding the scheduled time of the drawing and mailed to candidates not later than the fourth day before the drawing.

**Note: The Elections Division recommends that a district provide ballot proofs to candidates to verify accuracy of their names, positions sought, and order of names.*

- **Monday, March 1, 2021:** Deadline to file an application for a place on the ballot or declaration of write-in candidacy in a special election ordered on or before the 70th day before election day.

- **Wednesday, March 3, 2021:** Deadline to deliver notice of the election to the county election officer and voter registrar of each county in which the district is located.

**Note: This date is extended to Wednesday because Tuesday, March 2, is Texas Independence Day.*

- **Friday, March 5, 2021:** Last day a candidate may submit a [certificate of withdrawal](#) or notarized letter to withdraw from a special election ordered on or before the 70th day before election day.

- **Friday, March 12 – Thursday June 10, 2021: Mandatory office hours**—A district must keep the office open for election duties for at least three hours each day, during regular office hours, on days on which the district's main office is regularly open for business. Thus, a district may be closed during this period for a school holiday, even if it is not a state or national holiday.

- **Tuesday, March 16, 2021:**

- Deadline to challenge an application for a place on the ballot as to form, content, and procedure if ballots are mailed on the 45th day before election day (**Wednesday, March 17, 2021**). If ballots were mailed before that day, this deadline will change.

Note: An application may not be challenged as to form, content, or procedure after the day **before any ballot to be voted early by mail is mailed. For more information on reviewing applications and the process for declaring candidates ineligible, see the Elections Division's guidance regarding [candidacy filing](#).*

- Deadline to order a special election to fill a vacancy. If the election is ordered after the 70th day before the election (**Saturday, February 20, 2021**), the filing deadline is the 40th day before election day.

**Note: A special election that is not held on the uniform date in November of even-numbered years must be ordered as soon as practicable after the vacancy occurs. Other deadlines may depend on when the election is ordered.*

- **Monday, March 22, 2021:** Deadline to file an application for a place on the ballot or declaration of write-in candidacy in a special election ordered after the 70th day but on or before the 46th day before election day.
- **Saturday, March 27, 2021:** Last day a candidate may submit a [certificate of withdrawal](#) or notarized letter to withdraw from a special election ordered after the 70th day but on or before the 46th day before election day.
- **Thursday, April 1 – Wednesday, April 21, 2021:** Period in which to publish notice of the election.

**Note: School districts are required to publish notice in a local newspaper in addition to giving notice by other methods. School districts also must publish notice of the election on the district's website. The Elections Division provides a sample [Notice of Election](#). Districts holding bond elections must satisfy additional notice requirements. A district should work closely with its attorneys to ensure compliance. For more information on notice requirements, see Note 9 in the Elections Division's election law calendar.*

The Elections Division strongly recommends that a district also post on its website the notice of voting priority for voters with mobility issues under Texas Election Code section 63.0013. For more information on voting order priority, see note 14 in the Elections Division's election law calendar, which includes a [sample notice](#).

- **Thursday, April 1, 2021:** Last day to register to vote or make a change of address effective for the May election.
- **Saturday, April 10, 2021:** Deadline to post notice of election on bulletin board used for posting board meeting notices. A [Record of Posting Notice of Election](#) should be completed at the time of posting.

Note: The county must post a copy of a notice of election provided by a district under Texas Election Code section 4.008(a) [see **Wednesday, March 3, 2021] on the county's website. A district may post a copy of the notice on the bulletin board used for posting board meeting notices.*

- **Monday, April 19, 2021:** First day to vote early in person.

**Note: School districts are required to be open during the entire early voting period, except on state or national holidays. This differs from the requirements for mandatory office hours.*

With limited exceptions, early voting at temporary branch polling places must be conducted for at least eight hours on the same weekdays that early voting is required to be conducted at the main early voting place.

- **Tuesday, April 27, 2021:** Last day to vote early in person.
- **Saturday, May 1, 2021: Election Day**—Polling places must be open from 7:00 a.m. to 7:00 p.m.

- **Tuesday, May 4 – Wednesday, May 12, 2021: Canvassing period**

**Note: The canvass may not be conducted until the early voting ballot board (EVBB) has verified and counted all provisional ballots, if any, AND all timely-received ballots by mail. For more information on the EVBB, see the Elections Division’s [EVBB Handbook](#). If a district cancelled its election due to unopposed candidates, this is the first day the newly elected (unopposed) candidates may be issued a certificate of election and take the oath of office.*

For additional information on post-election procedures, see TASB Legal Services’ [After the School Board Election](#). In addition, the Elections Division publishes a memo regarding post-election procedures and qualifying for office after each election.

- **Friday, May 7, 2021:** Deadline to post the requirements and deadline for filing for candidacy for school board trustee for the May 7, 2022 general election.

**Note: For more information, see TASB Legal Services’ [Website Posting Requirements for Elections](#). The filing deadlines include the first day to file an application for a place on the ballot (Wednesday, January 19, 2022), the last day to file an application for a place on the ballot (Friday, February 18, 2022), and the last day to file a declaration of write-in candidacy (Tuesday, February 22, 2022).*

This document is continually updated, and references to online resources are hyperlinked, at tasb.org/services/legal-services/tasb-school-law-esource/governance/documents/deadlines-for-may-school-district-elections.pdf. For more information on this and other school law topics, visit TASB School Law eSource at schollawesource.tasb.org.

This document is provided for educational purposes only and contains information to facilitate a general understanding of the law. It is not an exhaustive treatment of the law on this subject nor is it intended to substitute for the advice of an attorney. Consult with your own attorneys to apply these legal principles to specific fact situations.

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