To: Superintendent, Superintendent’s Administrative Assistant, and Council of School Attorneys Member Addressed

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For school districts preparing for the November 6, 2018 election of school board trustees, this memo provides important dates, deadlines, and quick answers to frequently asked questions. For forms as well as in-depth information about conducting an election, processing a candidate application, candidate campaign filing requirements, and political advertising, consult the Texas Secretary of State Elections Division website, the Texas Ethics Commission website, or TASB Policy BBB series.

Election Deadlines

Q. What are the important deadlines for the November general trustee election?

* Note: 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 below, but a district holding a special election should contact the Elections Division, TASB Legal Services, or the district’s school attorney for answers to more specific questions.
Deadlines and requirements for tax ratification elections (TREs) or bond elections also may be different. For information on TREs, please consult TASB Legal Services’ 2018 Tax Ratification Election Information and Timelines. For information on bond elections, review TASB Policy CCA(LEGAL) or contact the Elections Division, TASB Legal Services, or the district’s school attorney or bond counsel.

The Elections Division creates and maintains a comprehensive election law calendar for each uniform election date. That calendar includes links to forms relevant to specific dates and obligations. The most important general election dates for school districts are as follows:

- **Thursday, June 21, 2018**: Deadline to post notice of candidate filing period.

- **Saturday, July 21, 2018**: First day to file an application for a place on the ballot.
  
  *Note: Although this is the first day to file, a school district is not required to be open. The Elections Division recommends that someone be available to accept filings for a few hours most days during the candidate filing period, with a schedule of available days and times posted on the district’s website and the bulletin board where meetings notices are posted. Filing may begin before the board orders a general election.*

- **Wednesday, August 8, 2018**: Deadline to submit request for exemption from the use of accessible voting equipment to the Secretary of State.

- **Monday, August 20, 2018**:  
  - Deadline to order the November general election.
  - Deadline to file 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.*
  - Deadline to order a special election on a measure or to fill a vacancy to be held on November 6, 2018.
    
    *Note: An application for a place on a special election ballot may not be filed before the special election is ordered.*
  - Recommended date to appoint presiding and alternate judges.

- **Thursday, August 23, 2018**: Deadline to file application for place on the ballot or declaration of write-in candidacy in a special election to fill a vacancy. (6:00 p.m.)

- **Friday, August 24, 2018**: Deadline to file declaration of write-in candidacy in the general election. (5:00 p.m.)
Monday, August 27, 2018:

- Last day a candidate may 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.

- Recommended deadline to hold drawing to determine order of candidates’ names on the ballot. Notice of the date, hour, and place of the ballot position 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 correctness of their names, positions sought, and order of names.

Tuesday, August 28, 2018:

- Last day a candidate may withdraw from a special election or as a write-in candidate*. (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.

- Recommended first day an unopposed election may be cancelled if requirements are satisfied.

  * Note: This deadline is extended because they fall on Monday, which is LBJ Day.

Friday, September 7, 2018: Deadline to deliver notice of the election to the county election officer and voter registrar.

Monday, September 17 – Sunday, December 16, 2018 (50th day before election day through 40th day after election day): 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.

Friday, September 21, 2018: Deadline to challenge application for a place on the ballot as to form, content, and procedure if ballots are mailed on the 45th day before election day (Saturday, September 22, 2018). 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.

Sunday, October 7 – Saturday, October 27, 2018: Timeframe 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, if the district maintains one. In addition, the Elections Division strongly recommends that a district post on its website the notice of voting priority for voters with mobility issues under Texas Election Code section 63.0013.

- **Tuesday, October 9, 2018:** Last day to register to vote or make changes to a voter’s address to be effective for the November election.
  
  * Note: This deadline is extended because it falls on Sunday and Monday is Columbus Day.

- **Tuesday, October 16, 2018:** Deadline to post notice of election on bulletin board used for posting board meeting notices.

- **Monday, October 22, 2018:** First day to vote early in person.
  
  * Note: This date is extended to Monday because the first day of early voting falls on Saturday. School districts are required to be open during the entire early voting period, except on state or national holidays.

- **Friday, November 2, 2018:** Last day to vote early in person.

- **Tuesday, November 6, 2018: Election Day**—Polling places must be open from 7:00 a.m. to 7:00 p.m.

- **Friday, November 9 – Tuesday, November 20, 2018: Canvassing period**
  
  * Note: The canvass may not be conducted until the early voting ballot board has verified and counted all provisional ballots and finished convening for all late arriving ballots. If a school 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.

- **Thursday, December 6, 2018:** Deadline to file electronic precinct-by-precinct returns with the Secretary of State’s office.

**Ordering an Election**

**Q. What must the election order contain?**

The order must include the following:

1. The date of the election;
2. The offices or measures to be voted on;
3. The location of the main early voting polling place;
4. The dates and hours for early voting;
5. The dates and hours of any Saturday and Sunday early voting, if applicable; and
6. The early voting clerk’s official mailing address.

The Elections Division offers a sample Order of Election (Form AW1-3).

Q. **When must the district order the general election?**

The deadline to order an election for the upcoming November uniform date is **Monday, August 20, 2018.**

Q. **When is the deadline to order a special election to fill a vacancy?**

A special election to fill a vacancy on the November uniform date in even-numbered years must be ordered not later than the 78th day before election day.

**Notice of Election**

Q. **How and when does a district provide notice of the election?**

**Newspaper:** Notice must be published at least once, not earlier than the 30th day or later than the 10th day before election day, in a newspaper published in the territory that is covered by the election and is in the jurisdiction of the district, or in a newspaper of general circulation in the territory if none is published in the jurisdiction of the district.

**Bulletin Board:** Notice must be posted not later than the 21st day before election day on a bulletin board used by the school district to post board meeting notices.

**Website:** Notice must also be posted on the school district’s website, if the district maintains one. The Elections Division strongly recommends that a district also post on its website the notice of voting priority for voters with mobility issues. (See above at **Sunday, October 7 – Saturday, October 27, 2018**) For more information on voting order priority, see note 13 in the Elections Division’s election law calendar.

Notice must include the following:

1. The type and date of the election;
2. The location of each polling place;
3. The hours the polls will be open;
4. The location of the main early voting polling place;
5. The regular dates and hours for early voting by personal appearance;
6. The dates and hours of any Saturday or Sunday early voting, if any; and
7. The early voting clerk’s mailing address.

For more information on notice requirements, see note 8 in the Elections Division’s election law calendar. The Elections Division provides a sample Notice of Election.

In addition to publishing notice, a school district must deliver notice of the election to the county election officer and voter registrar of each county in which the district is located no later than Friday, September 7, 2018.

Candidate Filing Information

Q. What is the period during which a candidate may file an application for a place on the general election ballot?

The first day to file an application for a place on the ballot is Saturday, July 21, 2018. Candidates may file for office from this date until the deadline, even if the election has not been ordered. Even though the first day to file falls on a Saturday, a school district is not required to be open to accept an application in person.

The deadline to file an application for a place on the general election ballot is 5:00 p.m., Monday, August 20, 2018. The deadline to file a declaration of write-in candidacy is 5:00 p.m., Friday, August 24, 2018. As discussed below, a district should be open on these days with a representative available to accept applications until the deadline has passed.

School districts are required to make applications available for potential candidates. The Elections Division offers a sample application.

* Note: The filing deadlines for a special election to fill a vacancy are set out generally with other deadlines above.

Q. What is the district’s responsibility for verifying information on a candidate’s application?

Once a candidate files an application for a place on the ballot, the district is responsible for reviewing the application to determine whether it complies with the legal requirements as to form, content, and procedure. In other words, the filing authority confirms that the application was filed correctly in a timely manner, that all required information is provided, and that it is properly signed under oath.
The authority has five days to review an application and determine whether it is legally sufficient. If an application does not comply with the applicable requirements, the filing authority must reject the application and immediately deliver to the candidate written notice of the reason for the rejection.

Under Texas Election Code section 141.034, 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 to an address in the authority’s jurisdiction. A challenge must state with specificity how the application does not comply with applicable requirements, and the authority’s review is limited to the specific items challenged and any response filed by the candidate.

If the information on a candidate’s application indicates that the candidate is ineligible for the office (e.g., an address outside the district’s boundaries is listed as the candidate’s address), or facts indicating that the candidate is ineligible are conclusively established by another public record (e.g., the district receives a copy of a felony conviction from which the candidate has not been pardoned or released), the district must declare the candidate ineligible under Texas Election Code section 145.003. The Elections Division advises that no public record conclusively establishes residency.

For more information on reviewing applications and the process for declaring candidates ineligible, see the Elections Division’s guidance regarding candidacy filing.

Q. What if an important election deadline falls on a holiday?

Filing deadlines: Some school breaks do not coincide with a legal state or national holiday; therefore, a school district cannot be closed for a school holiday or break and unable to observe election deadlines. If a deadline falls during a school closure, a school district must maintain regular office hours on that day with a representative available on site. On days that are filing deadlines, the representative must be on site until 5:00 p.m. to allow all candidates to file until that time. The Elections Division cautions that, even if a district accepts applications by mail and fax, the district will have no reliable witness to say who met the filing deadline if there is no one at the district at 5:00 p.m.

Mandatory Office hours: From Monday, September 17 through Sunday, December 16, 2018, a district is required to have mandatory office hours. During this time, a representative of the district must keep the office open for election duties for at least three hours each day, during regular office hours, on regular business days. A regular business day means a day on which the school district’s main business office is regularly open for business. Thus, a district may be closed during this period for a school holiday.
Early voting by personal appearance: If a school holiday falls on a day that is a state or national holiday, the school district is not required to be open to conduct early voting by personal appearance. If a school holiday falls on a day during the early voting period that is not a state or national holiday, however, the school district must be open to conduct early voting. This differs from the requirements for mandatory office hours.

Cancelling an Election

Q. When may an election be cancelled?

Under certain circumstances, the Texas Election Code allows a school board to cancel an election and declare unopposed candidates “elected” to office.

At-large elections: In a district where candidates are elected at large (i.e., all eligible voters in the district vote for each position on the ballot), the board may cancel an election if each candidate whose name is to appear on the ballot is unopposed after all pertinent filing deadlines have passed.

Single-member district elections: If a candidate in a single-member district is unopposed, the board may cancel the election in that single-member district only if there are no opposed at-large races within that election. If the election is cancelled in one single-member district, the election will still be conducted for those single member districts with opposed candidates.

Regardless of the method of electing board members, if the school district has a proposition on the ballot (as in a bond or TRE) where board members were to be elected, the proposition portion of the election will continue. The proposition election is considered a separate election. In this circumstance, the ballot will include the unopposed candidates’ names under the heading “Unopposed Candidates Declared Elected” at the bottom of the ballot containing the proposition.

In addition, a special election to fill a vacancy is considered a separate election from the general trustee election, even if they are held on the same day. Thus, each would be considered independently for cancellation purposes.

The Election Division’s Cancellation of Election outline is a good resource for more information about this process.
Q. **How does a district cancel an election?**

After all pertinent candidate filing deadlines have passed and the board president has received the certification of unopposed status from the authority responsible for preparing the ballot, the board may take action in a properly-posted open meeting to cancel the election and declare the unopposed candidates elected. A copy of the order cancelling the election must be posted on election day at each polling place that would have been used in the election. A copy of the cancellation order may be posted on the polling place door.

The recommended first day that a general trustee election may be cancelled is **Tuesday, August 28, 2018**, because this is the first business day after both the filing and write-in deadlines have passed.

If the election is cancelled, the Texas Election Code requires the board to issue a certificate of election to each candidate who is declared elected in the same manner and at the same time as required for a candidate elected at the election. The Elections Division advises that certificates of election are issued to unopposed candidates after election day and no earlier than the prescribed canvassing period. The unopposed candidates then complete the statement of elected officer and take the oath of office just as candidates elected at an election.

A sample order of cancellation and certificate of election can be found in the Elections Division website [forms library](#).

Q. **What happens if no one files as a candidate for the school board?**

According to the Elections Division, the appropriate time to declare the official result—that no one filed and no one won—is at the canvass. An election may be cancelled if no one files for positions up for election, but a vacancy in an office for which no one filed is declared at a meeting after election day. Any such vacancy is then filled in the usual manner for filling vacancies on the board. See TASB Policy BBC(LEGAL). For more information on filling vacancies, see TASB Legal Services’ *Overview of School Board Member Resignations*.

**Joint Elections**

Q. **What is a joint election?**

A joint election occurs when two political subdivisions (e.g., a city or county and a school district) conduct all or part of their elections together and share polling places. The purpose of joint elections is to provide convenience to the voters of political subdivisions with overlapping boundaries. Joint elections are covered by Texas Election Code chapter 271, which imposes two requirements for holding joint elections: a joint election agreement and
at least one common election-day polling place. Although a district is not required to share every election-day polling place with its joint election partner, it may be more efficient and economical to share more than one or all polling places. A district and its joint election partner must ensure that the entities are complying with legal requirements to use the county election precincts and polling places located within the entities’ boundaries as discussed below.

All other joint election issues may be determined by the entities involved in the election. Specifics regarding distribution of costs and responsibilities for ballots, selection of election workers, consequences of one entity cancelling its election, issues related to equipment, early voting details, and other issues are not prescribed by law; therefore, these matters should be addressed in the joint election agreement. The law is flexible enough to allow the entities to structure the election to best serve voters. For more information on joint elections, see the Elections Division’s Joint Elections and Polling Places FAQs, Mandatory ISD Joint Elections FAQ, and notes 6 and 7 in the Elections Division’s election law calendar.

Q. **Must a school district hold a joint trustee election?**

Elections for school board trustees must be held as joint elections under Texas Education Code section 11.0581. A district shall conduct its trustee election on the same date as (1) the election for the members of the governing body of a municipality located in the school district, (2) the general election for state and county officers (November of even-numbered years), or (3) the election for members of the governing board of a public junior college district in which the school district is wholly or partly located.

Q. **Does the joint election requirement apply to bond elections?**

The joint election requirement only applies to school board trustee elections. If a district chooses to hold a bond election with its trustee election, however, the bond election will be covered by the same joint election requirements as the trustee election.

Q. **What happens if a district’s joint election partner cancels its election?**

This tends to occur more frequently during the May election cycle because school districts more often hold joint elections with counties in November. Many smaller cities, like small school districts, have cancelled their elections for many years. Once a school district enters into an agreement to hold a joint election with a city, the joint election requirement is satisfied. If the city cancels, the school district has done everything it can to comply with the law and may hold its election without the city.
Election Precincts

Q. What are the requirements to use county election precincts and polling places?

For an election held on the uniform election date in November, school districts must use the county election precincts and county polling places as required by Texas Election Code sections 42.002(a)(5), 42.0621(a), and 43.004. For more information on the required use of county precincts and polling places, see note 4 in the Elections Division’s election law calendar.

Election Procedures

Q. Must a school district election use accessible voting machines?

The federal Help America Vote Act prompted the Texas Legislature to require each polling place to have at least one voting station that provides a practical and effective means for voters with physical disabilities to cast a secret ballot. Tex. Elec. Code § 61.012. As a result, a district is required to provide at least one accessible electronic voting system in each polling place. To obtain accessible voting equipment, a district may purchase a voting system directly from an authorized vendor, lease the county’s accessible voting system for the district’s election, or acquire a system by purchase, lease, or other means from any other source.

A smaller county or a political subdivision in such a county may be entitled to an exemption from the requirement to provide an accessible machine in each polling place in an election in which a federal office is not on the ballot. The deadline to request this exemption from the Secretary of State is Wednesday, August 8, 2018. The Elections Division offers more information on voting system accessibility requirements.

Districts should ensure that the custodian of election records or joint election partner responsible for electronic voting systems is aware of the requirements to conduct pre-election testing of the electronic voting systems in accordance with Texas Election Code chapter 129. For more information on testing equipment, see note 12 in the Elections Division’s election law calendar.

Q. Is a district required to submit a preclearance to the U.S. Department of Justice?

This is no longer required. For more information, see note 2 in the Elections Division’s election law calendar.
Polling Place Safety

Q. May a district conduct background checks on individuals who come on campus to vote?

Recent events have heightened concerns about the safety of students and district employees when school facilities are used as polling places and districts are not able to monitor or control persons who come on school property to vote. Currently, no statutes address conducting background checks on individuals who come on school district campuses solely for the purpose of voting. To vote, a person must be a registered voter and present acceptable identification at the polling place. Election workers verify the qualifications and identification of persons who come on school property to vote. TASB Legal Services recommends that school districts leave these matters to the election workers rather than school employees. For more information on voter identification requirements, see the Elections Division’s Voter Identification Procedures Under Senate Bill 5 (2017).

After voting, if a voter wants to remain on campus or enter another area of campus, school district employees may then run a background check on the person and process the person as they would any other campus visitor. State law authorizes a district to require a campus visitor to display a driver’s license or other form of government-issued photo identification and to verify whether the visitor is a registered sex offender through the computerized central database maintained by the Department of Public Safety. See TASB Policies GKC.

Although a district may not post signs at a polling place that are not authorized or required, the Elections Division may approve a sign to be posted in a polling place on school property defining the boundaries of the polling place and notifying voters that they will be subject to security measures if they proceed past the designated polling place. Contact the Elections Division for additional information and assistance.

Q. How can a district enhance safety surrounding polling places on school property?

Texas Election Code section 43.031 requires the entity that owns or controls a public building, including a school district, to make the building available for use as a polling place in any election that covers territory in which the building is located. Thus, a district may not prohibit the use of a school building as a polling place. Schools may, however, strategically locate the polling place on a school campus so as to minimize interaction between voters and students and disruption to campus operations.

Logistically, a polling place requires a large, open, accessible space. Thus, an ideal location would be an area on the outskirts of campus, an area away from students (e.g., an auditorium, gym, or foyer), or an administrative building. If possible, the site should be
partitioned or segregated from the rest of campus so that voters cannot interact with students or pass through the polling place and into the rest of the building without clearance through the school district’s visitor screening process.

In addition to carefully choosing the location of a polling place, districts should consider other precautions to minimize disruption to school operations and safeguard students. Such precautions might include the following:

1. Ensuring that a staff member is present on campus from poll opening at 7:00 a.m. until closing at 7:00 p.m. on election day;
2. Increasing staff presence in common areas and during activities, such as passing periods, near a polling place;
3. Planning for an increase in both vehicle and pedestrian traffic on or near school property during morning drop-off, afternoon pickup, lunch, and recess, including increasing the number of staff or volunteers involved in monitoring and assisting students during these times;
4. Ensuring that all faculty and staff, campus visitors, and election workers wear appropriate identification;
5. Communicating plans and expectations to the school community in advance through both direct communications and information on the district and campus websites.

The law expressly prohibits certain items and activities in the vicinity of a polling place. For instance, firearms, knives with blades over five and a half inches, and other weapons are prohibited in a polling place. Wireless communication devices, including cell phones, and recording devices, including cameras, are also prohibited within 100 feet of a voting station.

Electioneering may not take place within 100 feet of the outside entry to the building in which a polling place is located. The early voting clerk and the presiding judge have the authority to exercise their discretion to ensure safety and efficiency of the polling place and the surrounding 100-foot area. While the district may not prohibit electioneering outside of the 100-foot marker, the district may enact reasonable regulations concerning the time, place, and manner of electioneering. Any regulation should be content neutral. According to the Elections Division, a reasonable regulation might prohibit electioneering on sidewalks or driveways to keep them clear for pedestrian and vehicle traffic. A district seeking to impose regulations should consult its school attorney.

The Elections Division provides additional information regarding activities in the vicinity of polling places.
Texas Education Code section 37.108(e) requires each school district to include in its multi-hazard emergency operations plan (EOP) a policy for district property selected for use as a polling place. A school board may consult with local law enforcement regarding reasonable security accommodations, but a district is not required to obtain or contract for the presence of law enforcement to secure a polling place. Failing to include polling places in the EOP does not affect the requirement that a district make schools available for use as polling places. The Texas School Safety Center, as part of its School Safety Law Toolkit, provides a Polling Place Safety Checklist. This extensive checklist addresses ways that district staff, such as a facility manager or principal of a school to be used as a polling place, can work with election officials before, during, and after polling to maintain safety and security.

Q. **Is a district required to conduct background checks on election judges and clerks?**

The answer depends on whether the election officials and workers are involved in pre-election programming, testing, and preparing of electronic voting systems.

**Election workers involved with electronic voting systems:** The general custodian of election records must conduct criminal background checks on election officials, staff and temporary workers who are engaged in pre-election programming, testing and preparing of the voting system equipment for early voting and election day. This includes temporary workers hired to test, store, or service voting equipment.

If a school district contracts with a vendor (including a county or city) to program, test, or perform maintenance on the voting equipment prior to an election, the vendor may be required to certify that a criminal background check has been performed on the necessary employees. The Elections Division recommends that part of the agreement or contract with the vendor include the following language certifying that the vendor has performed the check:

_____________________ certifies that a criminal background check on all employees, including temporary employees, that may program, test, perform maintenance, transport equipment, or perform technical support on the voting system equipment for (name of entity) has been performed. _________________ has determined there are no findings that would prevent the employees from performing their assigned duties.

The Elections Division provides additional information on voting systems and criminal background checks.

**Poll workers:** The criminal background check requirement does not apply to poll workers (election judges and clerks) assigned to work election voting centers or precincts.
Post-Election Procedures

Q. When and by whom must the election be canvassed?

The school board must canvass precinct election returns no earlier than Friday, November 9 or later than Tuesday, November 20, 2018. Before the school board may conduct the canvass, the early voting ballot board (EVBB) must (1) verify and count all provisional ballots that have been cast and (2) qualify and count all timely-received ballots by mail cast from outside the United States. For more information on the EVBB, see the Elections Division’s EVBB Handbook.

Two board members constitute a quorum for the purpose of canvassing the election. The canvass must be done in a properly-posted open meeting, with notice of the canvass posted at least 72 hours continuously before the canvass is conducted. Under the Texas Open Meetings Act (OMA), no other school business may be conducted at this meeting unless there is a full quorum present and the other business is properly posted on the meeting notice. The presiding officer of the canvassing authority must note the completion of the canvass in the minutes or recording required under the OMA.

The canvassing authority must prepare a tabulation stating the following:

1. Each candidate
   a. Total number of votes received in each precinct
   b. Sum of precinct totals tabulated
2. Votes FOR and AGAINST each measure
   a. Total number of votes received in each precinct
   b. Sum of precinct totals tabulated
3. Total number of voters in each precinct who cast a ballot for a candidate or for or against a measure in the election

The Elections Division recommends that the presiding officer issue the certificates of election at the canvass. The canvass must be completed before a newly-elected officer may qualify and assume the duties of office. If an election was cancelled, this canvassing period is when the district may issue certificates of election to the unopposed candidates declared elected and proceed with the final steps to install the new board members.

After the election, Thursday, December 6, 2018, is the deadline for filing electronic precinct-by-precinct returns with the Secretary of State’s office. For more information, contact the Elections Division.
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.

This document is continually updated, and references to online resources are hyperlinked, at tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Governance/documents/nov_trustee_election.pdf. For more information on this and other school law topics, visit TASB School Law eSource at schoollawesource.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.*

Updated August 2018